

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

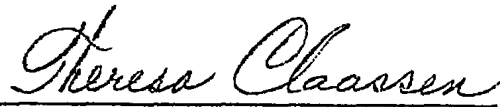
In the Matter of the Accusation)	
Against:)	
)	
EZZAT ELAH MAJD-POUR)	Case No. D-4095
P. O. Box 40848)	
Indianapolis, Indiana 46240)	OAH No. N-35293
)	
Physician and Surgeon Certificate)	
No. A39558,)	
)	
Respondent.)	
)	
)	

DECISION

The attached Proposed Decision of the Administrative Law
Judge is hereby adopted by the Medical Board of California
as its Decision in the above-entitled matter.

This Decision shall become effective on March 27, 1991.

IT IS SO ORDERED February 25, 1991.



THERESA CLAASSEN
Secretary-Treasurer

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)	
Against:)	
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EZZAT ELAH MAJD POUR)	Case No. D-4095
P. O. Box 40848)	
Indianapolis, Indiana 46240)	OAH No. N-35293
)	
Physician and Surgeon Certificate)	
No. A39558,)	
)	
Respondent.)	
)	
)	

PROPOSED DECISION

This matter was heard before Michael C. Cohn, Administrative Law Judge, State of California, Office of Administrative Hearings, in San Francisco, California on November 27, 1990.

Jeanne C. Werner, Deputy Attorney General, represented complainant.

No appearance was made by or on behalf of respondent Ezzat Elah Majd-Pour, M.D. On proof of compliance with Government Code sections 11505 and 11509, the matter proceeded as a default pursuant to Government Code section 11520.

FINDINGS OF FACT

I

The Accusation and First Supplemental Accusation were made in his official capacity by Kenneth Wagstaff, Executive Director of the Medical Board of California ("Board").

II

On February 14, 1983 the Board issued physician and surgeon certificate number 40848 to Ezzat Elah Majd-Pour, M.D. ("respondent"). The certificate is scheduled to expire on April 30, 1992.

III

On June 25, 1986 the State Medical Board of Ohio issued an order denying respondent's application for licensure to practice medicine and surgery in that state and barring him "at any time in the future" from reapplying. This order was based upon the Ohio Board's findings and conclusions that respondent was guilty of fraud, misrepresentation and deception in applying for a license in that he had intentionally made misrepresentations on his application in an attempt to deceive the Ohio Board; and that he had failed to appear at a psychiatric examination scheduled by the Ohio Board on March 18, 1985.

IV

On March 31, 1987 the Mississippi State Board of Medical Licensure issued an order suspending respondent from the practice of medicine in that state for three years. This order was based upon the Mississippi Board's findings that respondent had made false accusations against medical and nursing staff at a county hospital, had occasionally brandished a pistol, had inappropriately scheduled surgery under a local anesthetic only, and had "exhibited other conduct and behavior indicative of an individual suffering from mental illness." Based on those findings, the Mississippi Board concluded that respondent had engaged in actions constituting unprofessional conduct, including dishonorable and dishonest conduct likely to deceive, defraud or harm the public and that respondent was "unable to practice medicine with reasonable skill and safety to patients by reason of mental illness."

Under terms of the Mississippi Board's order, the suspension of respondent's license would be stayed upon his compliance with four conditions, including: 1) that he undergo a physical examination by a physician approved by the board, including a CT scan of the head, an endocrine survey and urine and blood drug screens, with the results to be submitted to the board within thirty days; and 2) that he undergo a comprehensive psychiatric and psychological work-up with follow-up treatment and care by a psychiatrist approved by the Board, with results of the work-up to be submitted to the board within sixty days.

On June 12, 1987 the Mississippi Board issued an order denying respondent's petition for reinstatement, but granting him an additional sixty days from the date of the order to comply with the conditions previously imposed.

While no evidence was introduced to demonstrate that respondent ever complied with the Mississippi Board's order, it is noted that the suspension imposed on respondent expired by its own terms on March 31, 1990.

V

On November 4, 1988 the Medical Licensing Board of Indiana issued an order, nunc pro tunc to October 27, 1988, placing respondent's medical license in that state on probation for three years on terms and conditions including that he practice only in a supervised setting and cause annual written reports to be submitted to the Indiana Board by his supervising physician. The Indiana Board's order was based upon findings that respondent had hospital privileges revoked in Mississippi and had his license in that state suspended. Based on those findings the Indiana Board concluded respondent had become unfit to practice due to physical or mental disability and had suffered discipline in another state.

VI

On December 12, 1988 the Board of Medicine of the State of Florida issued an order revoking respondent's license to practice medicine in that state. This order was based upon findings that respondent's license had been suspended in Mississippi.

VII

Although he did not appear at the instant hearing, respondent submitted voluminous documentation challenging the actions taken by the Mississippi Board, including a Petition for Writ of Certiorari ostensibly filed in the United States Supreme Court in October 1990 alleging due process violations. Respondent offered no evidence, however, to demonstrate that his licenses had been restored in Florida, Indiana or Mississippi (although as previously noted, the suspension of his Mississippi license has expired by its own terms). Nor did respondent present any evidence to demonstrate the current state of his mental health or that he has complied with the terms of probation imposed upon him in Indiana.

DETERMINATION OF ISSUES

I

Cause for disciplinary action against respondent exists pursuant to Business and Professions Code section 2305 in that disciplinary action has been imposed on his licenses to practice medicine in Ohio, Mississippi, Indiana and Florida as set forth in Findings III, IV, V and VI. The disciplinary action in each state constitutes a separate cause for discipline under section 2305.

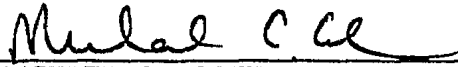
II

Respondent's application for a medical license in Ohio was denied in 1986 because of fraud and a failure to appear for a psychiatric examination; his medical license in Mississippi was suspended in 1987 for dishonesty and mental illness; his medical license in Indiana was suspended for mental illness and because of prior discipline in Mississippi; and his medical license in Florida was revoked because of prior discipline in Mississippi. While the Mississippi suspension has expired by its own terms, it is nevertheless determined that, considering respondent's disciplinary history, it would not be in the public interest to allow him to continue to hold a license to practice medicine in California.

ORDER

Physician and surgeon certificate number A 39558 issued to respondent Ezzat Elah Majd Pour, M.D., is revoked.

DATED: December 28, 1990



MICHAEL C. COHN
Administrative Law Judge

MCC:wc

1 JOHN K. VAN DE KAMP, Attorney General
 2 of the State of California
 3 JEANNE C. WERNER
 4 Deputy Attorney General
 5 350 McAllister Street, Room 6000
 6 San Francisco, California 94102
 7 Telephone: (415) 557-2174

8 Attorneys for Complainant

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BEFORE THE
 DIVISION OF MEDICAL QUALITY
 BOARD OF MEDICAL QUALITY ASSURANCE
 STATE OF CALIFORNIA

10 In the Matter of the Accusation)	No. D-4095
)	
11 Against:)	<u>ACCUSATION</u>
)	
12 EZZAT ELAH MAJD-POUR)	
13 1218 Millcreek Lane)	
14 Columbus, Ohio 43220)	
Physician and Surgeon License)	
15 No. A39558)	
)	
16 Respondent.)	

17 Complainant, Kenneth Wagstaff, charges and alleges as
 18 follows:

19 1. He is the Executive Director of the Board of
 20 Medical Quality Assurance (hereinafter referred to as the
 21 "Board") and makes these charges and files this Accusation in his
 22 official capacity as such. All section references are to the
 23 Business and Professions Code unless otherwise stated.

24 2. On February 14, 1983, the Board issued Physician
 25 and Surgeon Certificate No. A39558 to Ezzat Elah Majd Pour
 26 (hereinafter referred to as "respondent"). That certificate has
 27 continued in full force and effect at all times material hereto

1 and is paid and current through April 30, 1990.

2 3. Sections 2227 and 2234 provide, in pertinent part,
3 that the Division of Medical Quality shall take disciplinary
4 action against any licensee who is guilty of unprofessional
5 conduct.

6 4. Section 2305 provides that "the revocation,
7 suspension, or other discipline by another state of a license or
8 certificate to practice medicine issued by the state . . . to a
9 licensee under this chapter shall constitute grounds for
10 disciplinary action for unprofessional conduct against such
11 licensee in this state."


12 5. Respondent's certificate is subject to discipline
13 for unprofessional conduct under section 2305 in that on
14 March 31, 1987, the Mississippi State Board of Medical Licensure
15 issued an order suspending for three years respondent's license
16 to practice medicine in Mississippi. (A copy of said
17 disciplinary order is attached hereto as Exhibit A and is herein
18 incorporated by reference as though fully set forth.) The
19 discipline was based upon the Mississippi Board's findings that
20 respondent had engaged in unprofessional conduct and that
21 respondent was unable to practice medicine safely by reason of
22 mental illness. The factual basis for the decision, more fully
23 set forth in Exhibit A, included threats and accusations made to
24 hospital staff, inappropriate scheduling of surgery under only a
25 local anesthetic, brandishing a pistol and other evidence of
26 mental illness. Respondent's petition for reinstatement was
27 denied on June 12, 1987.

1 6. Respondent's certificate is subject to discipline
2 for unprofessional conduct under section 2305 in that on June 25,
3 1986, the Ohio State Medical Board issued an order denying the
4 respondent's application for licensure in Ohio and further
5 ordered that the respondent is forever ineligible to either apply
6 for or to obtain licensure to practice medicine and surgery or
7 its related branches in Ohio. The discipline was based on the
8 Ohio Board's finding that respondent intended to misrepresent,
9 deceive and defraud the Ohio Board in several significant aspects
10 of his application, including his omission of (1) while on a
11 year's assignment at Oncological Hospital in Puerto Rico
12 (beginning in June 1979) he left the hospital "on vacation" in
13 January 1980 and failed to return; and (2) his suspension of
14 hospital privileges in an Alabama hospital for failure to reveal
15 information on his application. The discipline also reflected
16 his repeated failure to appear at psychiatric examinations
17 scheduled by the Ohio Board. (A copy of said disciplinary order
18 is attached hereto as Exhibit B and is herein incorporated as
19 though fully set forth.)

20 7. Respondent's certificate is subject to discipline
21 for unprofessional conduct under section 2305 in that on December
22 16, 1988, the Florida Department of Professional Regulation,
23 Board of Medicine, issued an order in DPR Case No. 0086954
24 revoking respondent's Florida medical license based upon the
25 above-referenced Mississippi discipline. (A copy of said
26 disciplinary order is attached hereto as Exhibit C and is herein
27 incorporated as though fully set forth.)

1 WHEREFORE, complainant prays that a hearing be held and
2 respondent's license be suspended or revoked or such other action
3 be taken as may be deemed proper.

4 DATED: October 18, 1989

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6 
7 KENNETH J. WAGSTAFF
8 Executive Director
9 Board of Medical Quality Assurance
10 State of California

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Complainant

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EXHIBIT A

MISSISSIPPI
STATE BOARD OF MEDICAL LICENSURE

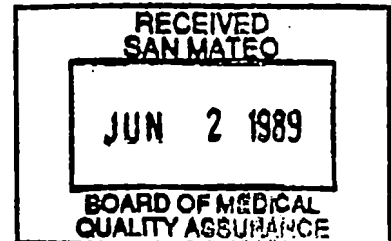
2688-D Insurance Center Drive
Jackson, Mississippi 39216



Frank J. Morgan, Jr., M.D., M.P.H.
Executive Officer

Telephone: (601) 354-6645
(601) 362-8818

May 25, 1989



STATE OF MISSISSIPPI
COUNTY OF HINDS

I, Frank J. Morgan, Jr., M.D., Executive Officer of the Mississippi State Board of Medical Licensure, do hereby certify that I am the official custodian of the records of said Board and that the attached Orders concerning Ezzat Elah Majd, M.D. are true and correct copies of the originals hereof as same appear on file in this office.

Witness my official hand and seal of the Board, this the 25th day of May, 1989.

MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE

BY: Frank J. Morgan, Jr.
Frank J. Morgan, Jr., M.D.
Executive Officer

Sworn to and subscribed before me this 25th day of May, 1989.

Paula Pitts
Notary Public

My Commission Expires July 24, 1990

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE OF

EZZAT E. MAJD, POUR, M.D.

ORDER

This matter came on regularly for hearing on June 4, 1987, before the Mississippi State Board of Medical Licensure in response to the motion of Ezzat E. Majd, Pour, M.D., hereinafter "Licensee", for reinstatement of his license to practice medicine in the State of Mississippi. Licensee was previously suspended from the practice of medicine by order of the Board rendered on March 31, 1987. This order was entered after a lengthy hearing held on March 19 and 20, 1987, wherein Licensee was found guilty of unprofessional conduct, including dishonorable or unethical conduct likely to deceive, defraud or harm the public and was found unable to practice medicine with reasonable skill and safety to patients by reason of mental illness. The Determination and Order rendered by the Board, from which Licensee did not appeal, suspended his license to practice medicine for a period of three (3) years, however, it was provided that the suspension would be stayed upon completion of and compliance with four (4) enumerated conditions, to wit:

1. A physical examination, including CT scan of the head, endocrine survey and urine and blood drug screens by a physician approved by the Board of Medical Licensure with the results of the examination submitted to the Board within thirty (30) days of receipt of this order;

2. A comprehensive psychiatric and psychological work-up with follow-up treatment and care by a psychiatrist approved by the Board of Medical Licensure from either Mississippi or Memphis, Tennessee. The results of the work-up are to be submitted to the Board within sixty (60) days of receipt of this order.

3. Monthly progress reports from the Board approved psychiatrist are to be submitted to the Board within fifteen (15) days of the end of each month during treatment.

4. All expenses incurred in carrying out this Order shall be borne by Licensee.

Licensee now states in his motion that he has complied "to the extent possible with the conditions for reinstatement of his license." Attached to his motion were reports of psychiatric and psychological evaluation by three (3) psychiatrists and two (2) psychologists and a report of physical examination by a physician. After a careful examination and review of the reports attached to Licensee's Motion for Reinstatement and after consideration of the Response filed by Stan T. Ingram, Counsel retained for the purpose of pursuing the action, it is the opinion of the Board that Licensee has failed to meet the conditions for reinstatement of his license.

Licensee did not request approval from the Board for use of Basil A. Bland, Jr., M.D. to perform the physical examination and tests. The report of physical examination submitted to the Board fails to indicate that a blood drug screen was run and there is no basis to determine the reliability of the procedures used for specimen collection. In addition, Licensee failed to seek approval from the Board prior to the psychiatric evaluations by David F. Moore, M.D., James B. Moseley, M.D., A. Jean-Pierre, M.D., Judith G. Carroll, Ph.D. and John M. Malinky, Ph.D. More

importantly, the reports from said psychiatrists submitted as a part of Licensee's motion, are inadequate and fail to document any evidence that Licensee has undergone a "comprehensive psychiatric and psychological work-up with follow-up treatment and care." The psychiatrist chosen to perform the comprehensive psychiatric and psychological work-up should understand the purpose for which the same is needed and should have access to any and all material in possession of Licensee and the Board which the physician deems necessary to perform a proper work-up, treatment and care. It is unclear whether any of the psychiatrists or psychologists even knew of the Board's order or the extent of Licensee's past conduct and history.

IT IS, THEREFORE, ORDERED that the Motion for Reinstatement be, and the same is hereby, denied; however, in order to assist Licensee in his effort to gain reinstatement of his license, IT IS FURTHER ORDERED as follows:

1. Licensee is hereby granted an additional sixty (60) days from date of receipt of this order to submit to a physical examination, including CT Scan of the head, endocrine survey and urine and blood screen by a physician chosen by Licensee from a list of approved Board Certified Internists attached hereto as Exhibit "A".
2. Licensee is hereby granted an additional sixty (60) days from date of receipt of this order to submit to a comprehensive psychiatric and psychological work-up with follow-up treatment and care by a psychiatrist

chosen by Licensee from a list of approved Board Certified psychiatrists attached hereto as Exhibit "B".


3. Licensee shall notify the Board of his choice of Internist and Psychiatrist prior to submission for the physical examination and comprehensive psychiatric and psychological work-up with follow-up treatment and care. The Board shall provide the physicians with a copy of the March 31, 1987, Determination and Order and extend access to any and all material in possession of the Board which the physicians deem necessary to perform their examination and care.

4. The Board Certified Internist and Psychiatrist shall submit to the Board a comprehensive statement/report of their examination, work-up and treatment or care. Upon completion of the comprehensive work-up, the psychiatrist shall notify the Board in writing whether or not he/she is willing to handle the follow-up treatment and care.

IT IS FURTHER ORDERED that a copy of this order shall be sent by registered mail or personally served upon Ezzat E. Majd, Pour, M.D. and should become effective immediately upon receipt thereof.

ORDERED, this the 12th day of June, 1987.

MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE

By: 
FRANK J. MORGAN, JR., M.D.
Executive Officer

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE
PHYSICIAN'S LICENSE OF
EZZAT E. MAJD, POUR, M.D.

DETERMINATION AND ORDER

This matter came on regularly for hearing on March 19, 1987, before the Mississippi State Board of Medical Licensure pursuant to Miss. Code Ann. §73-25-63. The Board initiated these proceedings on July 20, 1986, by referral of Ezzat E. Majd, Pour, M.D. to the designated members of the Examining Committee, pursuant to Miss. Code Ann. §73-25-51 through §75-25-67, for the purpose of determining the fitness of Dr. Majd to practice medicine with reasonable skill and safety to patients, either on a restricted or unrestricted basis. Dr. Majd was thereafter ordered to appear before the Examining Committee on September 18, 1986. Dr. Majd appeared before said committee and was found to be suffering from a major mental disorder and unable to practice medicine with reasonable skill and safety to patients. However, prior to rendering a final determination, the committee ordered Dr. Majd to submit to a psychiatric evaluation/examination pursuant to Miss. Code Ann. §73-25-57(2). On October 6, 8, and 10, 1986, Dr. Majd submitted to such an examination and on October 13, 1986, a report was rendered concluding that Dr. Majd was suffering from a major thought disorder. On October 16, 1986, the Examining Committee rendered its Final Recommendation and Order finding

that Dr. Majd was unable to practice medicine with reasonable skill and safety to patients by reason of mental illness.

On October 16, 1986, the Board issued a Summons and Order of Temporary Suspension informing Ezzat E. Majd, Pour, M.D. that the Board had reason to believe that he was unable to practice medicine with reasonable skill and safety to patients by reason of mental illness. Dr. Majd's medical license was temporarily suspended pending the outcome of the scheduled hearing on November 20, 1986.

Pursuant to written request of Ezzat E. Majd, Pour, M.D., the Mississippi State Board of Medical Licensure rendered an order continuing the matter until the next regularly scheduled meeting on January 15, 1987, and prohibiting Dr. Majd from practicing medicine during the interim. The matter was further continued until March 19, 1987, in response to a motion filed on December 30, 1986, on behalf of Dr. Majd. On February 12, 1987, the Board expanded these proceedings by issuing a Supplemental Summons and Affidavit informing Ezzat E. Majd, Pour, M.D. that it had reason to believe that he was in violation of Miss. Code Ann. §73-25-29(8) and §73-25-83(a), in that Ezzat E. Majd, Pour, M.D., a physician duly licensed under the authority of the State Board of Medical Licensure and the laws of the State of Mississippi, was guilty of unprofessional conduct, which includes being guilty of any dishonorable or unethical conduct likely to deceive, defraud or harm the public.

A hearing was convened at 10:00 o'clock A.M., March 19, 1987, Ezzat E. Majd, Pour, M.D., being present, represented by

Jim Waide. Evidence and testimony was then presented. Based on the above, the Board renders the following findings of fact, conclusions of law and order:

FINDINGS OF FACT

I.

EZZAT E, MAJD, POUR, M.D., hereinafter referred to as "Licensee", has been licensed to practice medicine in the State of Mississippi since September 9, 1981, pursuant to Miss. Code Ann. §73-25-1, holding Mississippi License No. 9448.

II.

Prior to seeking licensure in the State of Mississippi, Licensee served a two-year residency in surgery between August 1972 and August 1974 at the Appalachian Regional Hospital, Harlan, Kentucky. During his residency at the Appalachian Regional Hospital, Licensee was admitted to said hospital for treatment between December 24, 1973, and January 2, 1974, with chief complaints of weight loss, dizziness and syncopal episodes. During Licensee's treatment, he consulted a psychiatrist and was diagnosed as suffering from depression and a mild schizoid personality with a final diagnosis of hyperthyroidism, postural hypotension, anxiety depressive reaction and situational stress reaction.

III.

Licensee began practicing in Tunica, Mississippi, on or about June, 1985. On August 6, 1986, at approximately 6:35 o'clock P.M., patient Bobbie I [REDACTED] was transported to the Tunica

County Hospital via ambulance. The patient was found to be dead upon arrival. Notwithstanding, the emergency room physician and nursing staff immediately initiated attempts to resuscitate the patient without regard as to the patient's identity or whom the patient's physician was. Resuscitation attempts were unsuccessful. Thereafter, Licensee accused the attending physician and nursing staff of "stealing" and "killing" patient Bobbie I. On the following day, August 7, 1986, Licensee went to the Tunica County Hospital, and accused the medical and nursing staff of "killing", "murdering", and "stealing" his patients. Licensee accused one particular nurse of being a "prostitute" and "turning into a vampire at night" and killing "hundreds" of his patients. Other accusations, too numerous to mention, included statements that the medical and nursing staff were killing his patients, that the medical and nursing staff and board of directors of the Tunica County Hospital were members of the "klan" and "racists" and that they were plotting to kill him or run him out of town. The above accusations were made at the Tunica County Hospital before numerous medical and staff personnel and were made in such a loud tone and manner as to indicate loss of control.

IV.

The accusations by Licensee toward the medical and nursing staff at Tunica County Hospital and other individuals during August 6, 1986, and August 7, 1986, were false and without any basis in fact. Although evidence reflects that deaths have occurred at the Tunica County Hospital, no complaints of mysterious deaths were filed with state or local authorities and the

number and causes of deaths occurring at the hospital were not unusual for a hospital of that size and type.

V.

On August 8, 1986, Licensee wrote and gave to other parties, including office staff, a note stating that on that date he was "threatened to be killed, if in future I murdered, my killer is Dr. Larry Black and Paris Prince only (otherwise nobody else is responsible)." Said note then provides that "These two people may kill me indirectly, but responsibility of murder should stay only with them, and nobody else." Although evidence presented indicates that Dr. Majd or his staff may have received phone calls of threatening nature, we find that there is no basis in fact for the accusation concerning Larry Black, M.D. and further, by Licensee's own admission, the accusation concerning Paris Prince was without merit.

VI.

That Licensee has on occasion carried a 38-caliber pistol on his person and in the presence of his staff, yielded the weapon in such a manner as to frighten his staff.

VII.

Licensee has exhibited other conduct and behavior indicative of an individual suffering from mental illness. Further, Licensee's own testimony revealed characteristics of one suffering from mental illness as substantiated by the expert testimony of Rodrigo M. Galvez., M.D. and George Hamilton, M.D.

VIII.

On or about July 7, 1986, Licensee admitted patient Doshie A██████ to the Tunica County Hospital for the purpose of performing a breast biopsy. Licensee later scheduled and directed the nurses to prepare the patient for a simple mastectomy and excision of the lymph nodes to be performed under local anesthesia. Such a procedure should only be accomplished under general anesthesia and Licensee was prevented from carrying out the procedure by action of the medical staff.

IX.

On July 20, 1986, Frank J. Morgan, Jr., M.D., Executive Officer of the Mississippi State Board of Medical Licensure, referred Licensee to the designated members of the Examining Committee, pursuant to Miss. Code Ann. §73-25-51 through §75-25-67, for the purpose of determining the fitness of Licensee to practice medicine with reasonable skill and safety to patients, either on a restricted or unrestricted basis. Licensee was thereafter ordered to appear before the Examining Committee on September 18, 1986. Licensee appeared before said committee and was found to be suffering from a major mental disorder and unable to practice medicine with reasonable skill and safety to patients. However, prior to rendering a final determination, the committee ordered Licensee to submit to a psychiatric evaluation/examination performed by a psychiatrist and psychologist approved by the Board. Licensee chose Rodrigo M. Galvez, M.D. and James E. Stary, Ph.D., 1030 Riverside Plaza, Flowood, Mississippi, to perform the psychiatric evaluation/examination. On

October 6, 8, and 10, 1986, Licensee was examined by Rodrigo M. Galvez, M.D. and James E. Stary, Ph.D. and upon conclusion of said evaluation, a report was rendered to the Board dated October 13, 1986, concluding that Licensee was suffering from a major thought disorder, paranoid state, was incompetent and not responsible. Further, it was the opinion of Dr. Galvez that because of this condition, Licensee was in need of immediate medical treatment and his continued practice of medicine constitutes imminent danger to public health and safety. On October 16, 1986, the Examining Committee rendered its Final Recommendation and Order finding that Licensee was unable to practice medicine with reasonable skill and safety to patients by reason of mental illness.

X.

In addition to the above, Licensee has sought independent evaluations by G. H. Aivazian, M.D., Delores M. Digaetano, M.D., Jan T. Goff, M.D. and Ken Lippincott, M.D., in several instances, said physicians utilizing reports from independent psychologists. In each case, Licensee was found not to be suffering from a psychiatric disorder. However, several of the reports rendered by said physicians were qualified as to the accuracy of that information provided by Licensee and in each situation, the physician/psychologist based their evaluation on incomplete background history and/or improper data.

XI.

That Licensee was also examined by William M. Kallman, Ph.D. who described Licensee's conduct as not indicative of "delusional"

behavior, but merely "angry exaggerations." However, Dr. Kallman did find that Licensee may have suffered on one occasion from an "acute paranoid disorder."

CONCLUSIONS OF LAW

After considering all the evidence presented, and based on the Board's personal observation of Licensee during his testimony, the Board hereby determines that Licensee's actions constitute unprofessional conduct, including dishonorable or unethical conduct likely to deceive, defraud or harm the public and that Licensee is unable to practice medicine with reasonable skill and safety to patients by reason of mental illness.

ORDER

IT IS HEREBY ORDERED that the Final Recommendation of the Examining Committee rendered October 16, 1986, is hereby accepted;

IT IS FURTHER ORDERED that on the basis of the findings of fact enumerated above, Mississippi Medical License No. 9448 issued to Ezzat E. Majd, Pour, M.D., is hereby suspended for a period of three (3) years; however, said suspension will be stayed upon completion of and compliance with all of the following conditions to the satisfaction of the Mississippi State Board of Medical Licensure:

1. A physical examination, including CT scan of the head, endocrine survey and urine and blood drug screens by a physician approved by the Board of Medical Licensure with the results of

the examination submitted to the Board within thirty (30) days of receipt of this order;

2. A comprehensive psychiatric and psychological work-up with follow-up treatment and care by a psychiatrist approved by the Board of Medical Licensure from either Mississippi or Memphis, Tennessee. The results of the work-up are to be submitted to the Board within sixty (60) days of receipt of this order.

3. Monthly progress reports from the Board approved psychiatrist are to be submitted to the Board within fifteen (15) days of the end of each month during treatment.

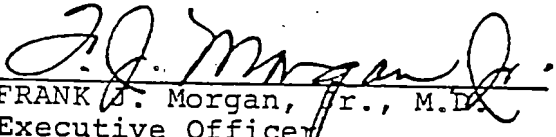
4. All expenses incurred in carrying out this Order shall be borne by Licensee.

IT IS FURTHER ORDERED that pursuant to Miss. Code Ann. §73-25-27, as amended, a copy of this Determination and Order shall be sent by registered mail or personally served upon Ezzat E. Majd, Pour, M.D., and should become effective immediately upon receipt thereof.

THIS, the 31ST day of March, 1987.

MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE

By:


FRANK J. Morgan, Jr., M.D.
Executive Officer

EXECUTIVE SESSION FOLLOWING HEARING ON
EZZAT E. MAJD, POUR, M.D.
MARCH 20, 1987

Motion made by Dr. Townes and seconded by Dr. Meena that Dr. Majd be found guilty of the charge of being "unable to practice medicine with reasonable skill and safety to patients by reason of mental illness."

Vote

Affirmative

Negative

Abstain

Meena

Mason

Shell

Moore

Townes

Page

Jenkins

Walley

Absent - Rose

MOTION CARRIED

Motion made by Dr. Townes and seconded by Dr. Meena that Dr. Majd be found guilty of the charge of "unprofessional conduct, which includes being guilty of any dishonorable or unethical conduct likely to deceive, defraud or harm the public."

Vote

Affirmative

Negative

Abstain

Mason

none

Shell

Meena

Moore

Townes

Page


Jenkins

Walley

Absent - Rose

MOTION CARRIED

Motion to go out of Executive Session made by Dr. Townes seconded by Dr. Page and carried unanimously.


John R. Shell, M.D.
President

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EXHIBIT B

STATE OF OHIO
THE STATE MEDICAL BOARD
77 South High Street
17th Floor
Columbus, Ohio 43266-0315

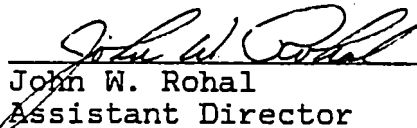
(614)466-3934

C E R T I F I C A T I O N

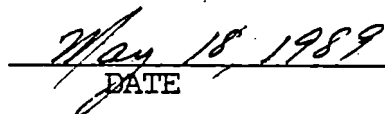
I hereby certify that the enclosed copy of the denial letter dated December 4, 1984 and the Findings, Order and Journal Entry, approved by the State Medical Board, meeting in regular session on June 10, 1986, and mailed to Dr. Majd-Pour on June 25, 1986 constitutes true and complete copies in the matter of Ezzat E. Majd-Pour, M.D., as they appear in the Journal of the State Medical Board of Ohio.

This certification is made by authority of the State Medical Board of Ohio and on its behalf.

(SEAL)



John W. Rohal
Assistant Director



DATE

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 510
65 South Front Street
Columbus, Ohio 43226-0315

June 25, 1986

Ezzat E. Majd Pour, M.D.
1218 Millcreek Lane
Columbus, Ohio 43220

Dear Doctor Majd Pour:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Henry G. Cramblett, M.D., Hearing Member, Medical Board; a certified copy of the Motion by the State Medical Board, meeting in regular session on June 10, 1986, approving and confirming said Report and Recommendation as the Findings and Order of the State Medical Board.

You are hereby notified that you may appeal this Order to the Court of Common Pleas of the County in which your place of business is located, or the county in which you reside. If you are not a resident and have no place of business in this state, you may appeal to the Court of Common Pleas of Franklin County, Ohio.

To appeal as stated above, you must file a notice of appeal with the Board setting forth the Order appealed from, and the grounds of the appeal. You must also file a copy of such notice with the Court. Such notices of appeal shall be filed within fifteen (15) days after the date of mailing of this letter and in accordance with Section 119.12, Revised Code.

THE STATE MEDICAL BOARD OF OHIO

Henry G. Cramblett, M.D.
Henry G. Cramblett, M.D.
Secretary

HGC:em

Enclosures

CERTIFIED MAIL NO. P 569 365 689
RETURN RECEIPT REQUESTED

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 510
65 South Front Street
Columbus, Ohio 43226-0315

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; attached copy of the Report and Recommendation of Henry G. Cramblett, M.D., Hearing Member, State Medical Board of Ohio; and the attached copy of the Motion by the State Medical Board, meeting in regular session on June 10, 1986, approving and confirming said Report and Recommendation as the Findings and Order of the State Medical Board, constitutes a true and complete copy of the Findings and Order of the State Medical Board in the matter of Ezzat E. Majd Pour, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This certification is made by authority of the State Medical Board and in its behalf.

(SEAL)

Henry G. Cramblett, M.D.
Henry G. Cramblett, M.D.
Secretary

June 25, 1986

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

EZZAT E. MAJD POUR, M.D.

*

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio the 10th day of June, 1986.

Upon the Report and Recommendation of Henry G. Cramblett, M.D., Hearing Member, in this matter designated by R.C. 119.09, a true copy of which is attached hereto and incorporated herein, which Report and Recommendation was approved and confirmed by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board for the 10th day of June, 1986.

It is hereby ORDERED:

1. That the application of Ezzat E. Majd Pour, M.D., for licensure to practice medicine and surgery in the State of Ohio be DENIED.
2. Further, that Dr. Majd Pour shall not at any time in the future be eligible to either apply for or obtain licensure to practice medicine and surgery or its related branches in the State of Ohio.

(SEAL)

Henry G. Cramblett
Henry G. Cramblett, M.D.
Secretary

STATE OF OHIO
THE STATE MEDICAL BOARD

REPORT AND RECOMMENDATION
IN THE MATTER OF EZZAT E. MAJD POUR, M.D.

The matter of Ezzat E. Majd Pour, M.D., came before me, Henry G. Cramblett, M.D., Member of the State Medical Board of Ohio, on May 30, 1985.

INTRODUCTION AND SUMMARY OF EVIDENCE

1. Dr. Majd Pour submitted an initially incomplete application for licensure to practice medicine and surgery in Ohio on or about August 8, 1983. (State's Exhibit #1-A)
2. The State Medical Board of Ohio notified Dr. Majd Pour by letter of December 4, 1984 (State's Exhibit #1), that it proposed to deny his request for licensure on the basis of the following allegations:
 - A. That certain acts, conduct and/or omissions outlined in the Board's December 4, 1984 letter, individually and/or collectively constituted fraud, misrepresentation or deception in applying for or securing any license or certificate issued by the Board, as that phrase is used in Section 4731.22(A), Ohio Revised Code.
 - B. That Dr. Majd Pour was unable to practice according to acceptable and prevailing standards of care by reason of illness, excessive use of alcohol, excessive use of controlled substances, drugs or chemicals or as a result of mental or physical condition, which constitutes a basis for the Board to deny licensure pursuant to Section 4731.22(B), Ohio Revised Code.

Certified mail receipts appended to Exhibit #1 evidence Dr. Majd Pour's receipt of the Board's letter.

3. Dr. Majd Pour requested a hearing on the Board's proposed denial by letter of January 4, 1985. (State's Exhibit #2)
4. The Medical Board acknowledged receipt of Dr. Majd Pour's hearing request by letter of January 7, 1985, and scheduled and continued his hearing pursuant to Section 119.09, Ohio Revised Code. (State's Exhibit #3)
5. The Medical Board notified Dr. Majd Pour by letter of April 30, 1985, that a hearing regarding the Board's proposed action was scheduled for May 30, 1985. (State's Exhibit #4)

6. Dr. Majd Pour did not appear personally at the May 30, 1985, hearing and was not represented by counsel. The State's case was presented by Assistant Attorney General Mary Joseph Maxwell.
7. Ms. Maxwell proceeded with the State's case by calling Penny McKenzie, Acting Chief of Licensure, who testified to the following regarding information maintained in her custody and control:
 - A. That Dr. Majd Pour applied for licensure on August 3, 1983.
 - B. That Dr. Majd Pour submitted "Section 6: Resume" of the application on the following dates and in various forms: September 15, November 17, and December 7 of 1983, as well as April 19, 1984.
 - C. That the applicant reapplied for licensure on October 24, 1984.
 - D. That Dr. Majd Pour was asked to revise his application on several occasions because the dates were out of chronological order and difficult to understand.
 - E. That Dr. H. P. Kinsey, by letter of January 24, 1984, notified the Board that Dr. Majd Pour's staff privileges had been suspended at Evergreen Hospital, Evergreen, Alabama for failure to reveal certain information upon application for staff privileges.
 - F. That clearance forms returned to the Ohio Board from states where Dr. Majd Pour is licensed contain no derogatory information.
 - G. That an August 3, 1983 letter from Dr. R. Llobet, Director of Surgery, Oncological Hospital, Puerto Rico, states that Dr. Majd Pour worked at the hospital from June 1979 to January 1980, "at which time he went on vacation and never reported back for work."
8. Ms. Maxwell then called John Rohal, Administrative Assistant and Chief of Enforcement for the State Medical Board, who testified as follows:
 - A. That Dr. Majd Pour was scheduled for psychiatric examination on April 8, 1985, at the office of Dr. Ronald Litvak, but that, as evidenced by affidavit for Dr. Litvak, Dr. Majd Pour failed to appear for, cancel or reschedule the appointment.
 - B. That Dr. Majd Pour had acknowledged the abovementioned date for mental examination in a letter to the Board dated April 11, 1985.

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9. In her closing comments, Ms. Maxwell summarized the State's case as follows:

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- A. That Dr. Majd Pour submitted an original application and five revisions of the "Resume" section, all having breaks in time, inadequate dates, and incomplete lists of activities engaged in from the time of graduation to application.
 - B. That following receipt of the material, representatives of the Board met with Dr. Majd Pour and advised him to submit another full application with supporting documentation. An application was submitted, but was incomplete, as it lacked any documentation.
 - C. That although the doctor claimed he had staff privileges at Westview Memorial Hospital in Indiana, he later stated he had no medical practice in Indiana.
 - D. That although he failed to list them in his original application, Dr. Majd Pour had in fact taken the FLEX Examination on six previous occasions.
 - E. That he failed to list all states in which he held medical licenses.
 - F. That he failed to state that he left Oncological Hospital in Puerto Rico, did not return, and failed to specify the dates he was there.
 - G. That although he stated in his application he had never been denied staff privileges at any hospital they had in fact been suspended at Evergreen Hospital in Alabama.

10. In addition to those mentioned above, the following exhibits were identified and admitted to the record on behalf of the State:

- A. State's Exhibit #1-A, the original application for licensure to practice medicine and surgery, submitted by Dr. Majd Pour, dated August 3, 1983.
- B. State's Exhibit #1-B through #1-E, revisions to the original application submitted by Dr. Majd Pour, of the portion marked "Section 6: Resume."
- C. State's Exhibit #1-F, the revised application submitted by Dr. Majd Pour, dated October 24, 1984.
- D. State's Exhibit #5, a memorandum summarizing a July 18, 1984, meeting between Dr. Majd Pour; his attorney; Dr. Joseph Yut, Board Secretary; Mr. William Lee, Administrator; Mr. Ray Q. Bumgarner, Chief Counsel and Assistant to the Administrator; and Mr. John Rohal, Administrative Assistant.
- E. State's Exhibit #6, a letter dated April 19, 1984 from Dr. Majd Pour to the Board, stating that he had no medical practice in Indianapolis.

- F. State's Exhibit #7, Dr. Majd Pour's FLEX results dated August 11, 1983.
- G. State's Exhibits #8-A and #8-B, a letter and completed recommendation form from Dr. Kinsey of Evergreen Hospital, Alabama regarding Dr. Majd Pour.
- H. State's Exhibits #9-A through #9-F, forms from California, Alabama, Mississippi, Indiana and Florida certifying that Dr. Majd Pour had licenses to practice in those states, as well as a form from Kentucky indicating that he is not licensed there.
- I. State's Exhibit #10-A and #10-B, a letter and completed recommendation form from Ramon Llobet, M.D., of the Oncological Hospital of Puerto Rico regarding Dr. Majd Pour.
- J. State's Exhibit #11, a letter from the Ohio Board to Dr. Majd Pour dated March 18, 1985, stating that a mental examination had been scheduled for him on April 8, 1985.
- K. State's Exhibit #12, a letter from Dr. Majd Pour to the Board dated April 11, 1985, asking for a rescheduling of the mental examination date.
- L. State's Exhibit #13, the affidavit of Dr. Ronald Litvak, dated April 29, 1985, concerning Dr. Majd Pour's failure to appear for the scheduled mental examination.

FINDINGS OF FACT

1. Dr. Majd Pour applied to the State Medical Board of Ohio for medical licensure in August, 1983. Thereafter he resubmitted four additional "Section 6: Resume" forms.

This fact is established by State's Exhibit #1-A through #1-E.

2. On or about October 24, 1984, Dr. Majd Pour submitted a second application.

This fact is established by State's Exhibit #1-F.

3. By letter of March 18, 1985, the Board informed Dr. Majd Pour of the scheduled psychiatric examination with Ronald Litvak, M.D. for April 8, 1985. Dr. Majd Pour did not appear for that examination although he sent a letter to the Board on April 11, 1985, requesting that the examination be delayed.

These facts are established by State's Exhibits #11 through #13.

4. On the "Section 6: Resume" submitted September 15, 1983, Dr. Majd Pour stated he had worked at Memorial Hospital in Indiana "a few months" in 1980, but this is contradicted by his April 19, 1984 letter to the Board stating he did not work at Westview Memorial Hospital in Indiana.

These facts are established by State's Exhibits #1-B and #6.

5. On both the August 3, 1983 and October 24, 1984 applications, Dr. Majd Pour did not provide complete information for Section 4, 1, (b), to wit: "all FLEX exams which you have taken (and) whether you took all three days or whether you took only part of the exam."

These facts are established by State's Exhibits #1-A and #1-F.

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6. On the abovementioned applications, Dr. Majd Pour answered "no" to question 7 of Section 5: "Have you ever been denied or dismissed from hospital staff privileges?" when in fact his staff privileges had been suspended at Evergreen Hospital, Evergreen, Alabama on or about August 5, 1983 for misrepresenting information on his application there. Dr. Majd Pour had also stated that he had privileges at Evergreen and that his staff privileges had never been suspended when he met with representatives of the Board on July 26, 1984.

These facts are established by State's Exhibits #1-A, #1-F, #5, #8-A and #8-B.

7. On the application of August 3, 1983, Dr. Majd Pour did not provide any information for Section 4, part 2: "list ALL states in which you are or have been fully licensed to practice medicine and surgery." On the October 24, 1984 application he indicated he held licenses in Alabama, Mississippi and Indiana but did not mention Florida or California.

These facts are established by State's Exhibits #1-A, #1-F, and #9-A through #9-F.

8. On the August 3, 1983 application, Section 3, "Postgraduate Training," Dr. Majd Pour did not indicate his first and second year residencies at Harlan Appalachian Hospital, Harlan, Kentucky from August, 1972 to August, 1974.

This fact is established by State's Exhibits #1-A and #1-F.

9. On the "Section 6: Resume" submitted September 15, 1983, Dr. Majd Pour stated he had gone overseas for "a few months." This fact was not indicated on any other "Section 6" submitted to the Board.

This fact is established by State's Exhibits #1-A through #1-F.

10. Dr. Majd Pour indicated he worked at Jewish Hospital, Cincinnati, Ohio; however,

- A. On the "Section 6: Resume" submitted April 19, 1984 the dates indicated were July, 1976 through December, 1976.

- B. On the December 7, 1983 and October 24, 1984 "Section 6: Resume" forms the indicated dates were July/August, 1976 through February, 1977.
- C. On the "Section 6: Resume" forms of August 3, 1983, September 15, 1983, and November 17, 1983 there was no mention of this activity.

These facts are established by State's Exhibits #1-A through #1-F.

- 11. Dr. Majd Pour indicated the following dates as the period during which he worked at Wright State University affiliated hospitals:
 - A. 1976 through 1979.
 - B. February 1977 through February 1979.
 - C. January 1977 through February 1979.

These facts are established by State's Exhibits #1-B through #1-F.

- 12. Dr. Majd Pour worked at the Oncological Hospital, Hato Rey, Puerto Rico as an assistant in surgery from June, 1979 to January, 1980, at which time he went on vacation and never reported back. He gave the following information regarding this activity:
 - A. His term there was for "one year."
 - B. He was there between 1979 and 1980.
 - C. He was there between February, 1979 and February, 1980.
 - D. He was there between June, 1979 and 1980.
 - E. At no time was there an indication of leaving his residency early.

These facts are established by State's Exhibits #1-A through #1-F, #10-A and #10-B.

- 13. On the application of August 3, 1983 and subsequent "Section 6: Resumes" of September 15, 1983, November 17, 1983, and December 7, 1983 and April 19, 1984, Dr. Majd Pour did not mention that he worked in Mohal, North Dakota between September, 1982 and January, 1983; however, he did mention this on his October 24, 1984 application.

This fact is established by State's Exhibits #1-A through #1-F.

- 14. Dr. Majd Pour submitted the following information regarding a private practice in Iran:
 - A. It was located in Razaixhi, Iran between 1980 and 1982.
 - B. It was located in Benab, Iran from February 1980 to September 1982.

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- 86 C. It was in Iran between January, 1980 and January, 1983.
- D. He was at Shirkhorshid Hospital, Benab, Iran from June, 1980 to September, 1982.
- E. No information was given regarding a practice in Iran.

These facts are established by State's Exhibits #1-A through #1-F.

15. By letter of December 4, 1984, Dr. Majd Pour was again instructed to submit to a mental and/or physical examination pursuant to Section 4731.22 (B)(15), Ohio Revised Code. As of the date of completion of this record, he has not complied with this direction.

CONCLUSIONS

The foregoing evidence and findings show an intent by Dr. Majd Pour to misrepresent and deceive this Board -even defraud it- in his applications for licensure. Such fraud, misrepresentation and deception is in contravention of Section 4731.22(A), Ohio Revised Code.

The State Medical Board of Ohio has a statutory duty to protect the citizens of this State regarding the health care they receive from doctors licensed by this Board. Applications serve this function, not only allowing the determination of adequate credentials but also assuring that the State of Ohio has competent doctors of good moral character. This Board must have full information about an applicant's background. When requested, it is the applicant's duty to provide that information.

It is the observation of this hearing officer that Dr. Majd Pour intentionally disregarded the directions on the application. This Board has given Dr. Majd Pour no less than six opportunities to provide adequate information regarding medical education and past activities. He has provided conflicting and misleading information on every application.

Violation 1

Dr. Majd Pour's acts, conduct or omissions as set forth in Findings of Fact #1, #2, and #4 through #14, above, constitute fraud, misrepresentation or deception in applying for or securing any license or certificate issued by the Board, in contravention of Section 4731.22(A), Ohio Revised Code.

Violation 2

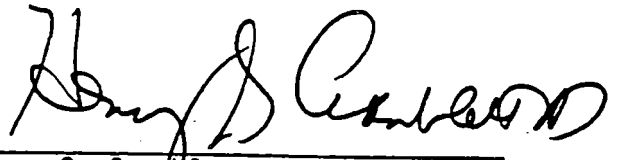
Dr. Majd Pour's acts, conduct or omissions as set forth in Findings of Fact #3 and #15, above, constitute an admission of his inability to practice according to acceptable and prevailing standards of care by reason of illness, excessive use of alcohol, excessive use of controlled substances,

drugs or chemicals, or as a result of mental or physical condition, as provided in Section 4731.22(B)(15), Ohio Revised Code.

PROPOSED ORDER

It is hereby ORDERED that:

1. The application of Ezzat E. Majd Pour, M.D., for licensure to practice medicine and surgery in the State of Ohio be denied.
2. Further, that Dr. Majd Pour shall not at any time in the future be eligible to either apply for or obtain licensure to practice medicine and surgery or its related branches in the State of Ohio.



Henry G. Cranklett, M.D.
Hearing Member
State Medical Board of Ohio

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EXCERPT FROM THE MINUTES OF JUNE 10, 1986

REPORT AND RECOMMENDATION IN THE MATTER OF EZZAT E. MAJD POUR, M.D.

.....

Dr. Rauch asked if each member of the Board had received, read, and considered the hearing record, the proposed findings and order, and any objections filed to the proposed findings and order in the matter of Ezzat E. Majd Pour, M.D. A roll call was taken:

ROLL CALL:	Dr. Cramblett	- aye
	Dr. Lancione	- aye
	Dr. Buchan	- aye
	Dr. Lovshin	- aye
	Ms. Rolfes	- aye
	Dr. Rothman	- abstain
	Dr. O'Day	- aye
	Mr. Johnston	- aye
	Dr. Rauch	- aye

.....

DR. BUCHAN MOVED TO APPROVE AND CONFIRM DR. CRAMBLETT'S FINDINGS OF FACT, CONCLUSIONS AND PROPOSED ORDER IN THE MATTER OF EZZAT E. MAJD POUR, M.D. DR. O'DAY SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Cramblett	- abstain
	Dr. Lancione	- aye
	Dr. Buchan	- aye
	Dr. Lovshin	- aye
	Ms. Rolfes	- aye
	Dr. Rothman	- abstain
	Dr. O'Day	- aye
	Mr. Johnston	- abstain
	Dr. Rauch	- aye

The motion carried.

STATE OF OHIO
THE STATE MEDICAL BOARD
Suite 510
65 South Front Street
Columbus, Ohio 43215

December 4, 1984

Ezzat Majd Pour, M.D.
1218 Millcreek Lane
Columbus, OH 43220

Dear Doctor Majd Pour:

In accordance with Chapter 119., Ohio Revised Code, and pursuant to Sections 4731.08, 4731.09, 4731.22 and 4731.29 of the Ohio Revised Code, the State Medical Board hereby proposes to refuse to register or otherwise grant you a certificate to practice medicine or surgery for one or more of the following reasons:

- A. Your acts, conduct and/or omissions as outlined in paragraphs 1-20, herein, individually and/or collectively constitute fraud, misrepresentation or deception in applying for or securing any license or certificate issued by the board as that phrase is used in Section 4731.22(A), Ohio Revised Code.
1. On or about August 3, 1983 you submitted an application for medical licensure with the Medical Board. You failed to provide a list of all activities from the time of medical school graduation to the present time, to account for all time, working and non-working, by month and year in all countries and to include complete addresses of said locations. (Exhibit A)
 2. On or about September 15, 1983 you submitted Section 6 of the application. You failed to provide a list of all activities from the time of medical school graduation to the present time, to account for all time, working and non-working, by month and year in all countries and to include complete addresses of said locations. (Exhibit B)
 3. On or about November 17, 1983 you resubmitted Section 6 of the application. You failed to provide a list of all activities from the time of medical school graduation to the present time, to account for all time, working and non-working, by month and year in all countries and to include complete addresses of said locations. (Exhibit C)
 4. On or about December 7, 1983 you resubmitted Section 6 of the application. You failed to provide a list of all activities from the time of medical school graduation to the present time, to account for all time, working and non-working, by month and year in all countries and to include complete addresses of said locations. (Exhibit D)

December 4, 1984

5. On or about April 19, 1984 you resubmitted Section 6 of the application. You failed to provide a list of all activities from the time of medical school graduation to the present time, to account for all time, working and non-working, by month and year in all countries and to include complete addresses of said locations. (Exhibit E)
6. Pursuant to a meeting held on July 18, 1984 between you and representatives of the Board you were permitted to submit a second application for licensure for purposes of clarifying information. Further, it was agreed that said application would be accompanied by documents in support of the information contained in the application. On or about October 24, 1984 you submitted the second application without the supporting documents.
7. You indicated on Exhibit B that you held staff privileges at Memorial Hospital in Indiana during 1980 and worked at said hospital for a few months.
 - a. On or about April 19, 1984 you submitted a letter to the Medical Board and stated that you did not start working at Westview Memorial Hospital in Indianapolis, Indiana.
8. On the applications submitted on August 3, 1983 and October 24, 1984 you failed to provide all information requested in Section 4, 1, b, to wit: All FLEX exams which you have taken and whether you took all three days or whether you took only part of the exam. (See Exhibits A and F)
9. To question 7 of Section 5 on said applications you responded no to the question "Have you ever been denied or dismissed from hospital staff privileges?" (Exhibits A and F)
 - a. On or about August 5, 1983 your staff privileges at Evergreen Hospital, Evergreen, Alabama were suspended.
10. On the application submitted August 3, 1983 you failed to complete part 2 of Section 4. (Exhibit A)
 - a. At that time you held licenses to practice medicine or surgery in Alabama, Mississippi, Indiana, Florida and California.
11. On the application submitted October 24, 1984 you indicated that you hold medical licenses in Indiana, Alabama and Mississippi. (Exhibit F) You failed to state that at that time, you held California and Florida licenses.
12. On Section 3 of the application submitted August 3, 1983 you failed to indicate that you worked at Harlan Appalachian Hospital, Harlan, Kentucky from August 1972 through August 1974. (Exhibit A)

September 4, 1984

13. On the Section 6 submitted September 15, 1983 you indicated you spent "a few months" overseas at sometime between August 1974 and August 1976. (Exhibit B) You failed to indicate on any other Section 6 submitted that you spent time overseas. (Exhibits A, C-F)
14. On the application submitted August 3, 1983, September 15, 1983 and November 17, 1983 you failed to indicate that you had worked at Jewish Hospital, Cincinnati, Ohio. (Exhibits A-C)
15. On Section 6 submitted April 19, 1984 you indicated you worked at the Jewish Hospital of Cincinnati from July 1976 through December 1976. (Exhibit E) However, on Section 6 submitted December 7, 1983 and October 24, 1984 you indicated that you worked at said hospital from July/August 1976 through February 1977. (Exhibits D and F)
16. On Section 6 submitted September 15, 1983 and November 17, 1983 you indicated you worked at Wright State University affiliated hospitals from 1976 through 1979 (Exhibits B and C) On Section 6 submitted December 7, 1983 and October 24, 1984 you indicated you worked at said hospital from February 1977 through February of 1979. (Exhibits D and F) On the Section 6 submitted April 19, 1984 you indicated that you worked at said hospital from January 1977 through February 1979. (Exhibit E)
17. On the application submitted August 3, 1983 and September 15, 1983 you indicated you spent one year as a resident in cancer surgery at San Juan, Puerto Rico. (Exhibits A, B, C and E) On the Section 6 submitted December 7, 1983 you indicated you worked at said hospital from February 1979 to February 1980. (Exhibit D) On the application submitted October 24, 1984 you indicated that you worked at said hospital from June 1979 to 1980. (Exhibit F)
18. On the application submitted August 3, 1983 and Section 6 of September 15, 1983, November 17, 1983, December 7, 1983 and April 19, 1984 you failed to state that you worked in Mohal, N.D. between September 1982 and January 1983. (Exhibits A-E)
19. On Section 6 submitted September 15, 1983, November 17, 1983 you indicated that you were in private practice in Razaiehi, Iran from 1980 through 1982. (Exhibits B and C) On Section 6 submitted December 7, 1983 you indicated you were located in Benab, Iran from February 1980 to September 1982. (Exhibit D) On the Section 6 submitted April 19, 1984 you indicated you were in private practice in Iran from January 1980 to January 1983. (Exhibit E) On the application submitted October 24, 1984 you stated you were at Shirkhorshid Hospital, Benab, Iran from June 1980 to September 1982 in surgery and medicine. (Exhibit F) You failed to indicate you were in Iran, at any time, on the application submitted August 3, 1983. (Exhibit A)

September 4, 1984

20. On Section 6 submitted December 7, 1983 you indicated you worked at McKenzie Clinic from January 1, 1983 through December 1, 1983. (Exhibit D) On Section 6 submitted April 19, 1984 you indicated you worked at said Clinic from January 1, 1983 to the time of submitting said Section, April 19, 1984. (Exhibit E)

- B. You are unable to practice according to acceptable and prevailing standards of care by reason of illness, excessive use of alcohol, excessive use of controlled substances, drugs or chemicals or as a result of mental or physical condition.

Pursuant to Section 4731.22(B)(15), Ohio Revised Code, such acts as stated in paragraph 2 are grounds for this Board to refuse to register or otherwise grant you a license to practice medicine or surgery in Ohio.

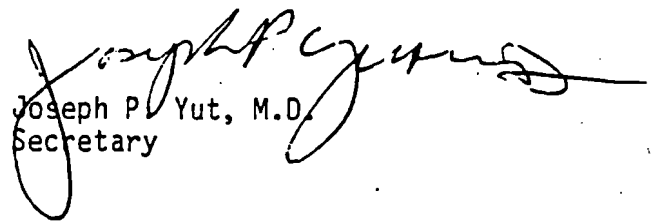
Furthermore, in accordance with Section 4731.22(B)(15), Ohio Revised Code, you are hereby requested to submit to a mental and/or physical examination. Failure of any individual to submit to a mental or physical examination when directed constitutes an admission of the allegations against him unless the failure is due to circumstances beyond his control, and a default and final order may be entered without the taking of testimony or preparation of evidence.

In accordance with Chapter 119., Ohio Revised Code, you are hereby advised that you have a right to a hearing in this matter, if you request such hearing within thirty (30) days of the time of mailing of this notice.

You are further advised that you are entitled to appear at such hearing in person, or by your attorney, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event there is no request for such hearing made within thirty (30) days of the time of mailing of this notice, the State Medical Board of Ohio may, in your absence and upon consideration of this matter, determine whether or not to limit, reprimand, revoke, suspend, place on probation, refuse to register, or reinstate your certificate to practice medicine and surgery in the State of Ohio.

Very truly yours,


Joseph P. Yut, M.D.
Secretary

JPY:jmb

CERTIFIED MAIL #P 569 362 251
RETURN RECEIPT REQUESTED

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EXHIBIT C

Bob Martinez
Governor
Larry Gonzalez
Secretary

FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION



(904) 488-0595

Assuring Professionalism In Florida

130 N. Monroe Street • Tallahassee, Florida 32399-0750

BOARD OF MEDICINE

3

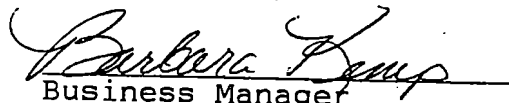
CERTIFICATION

TO WHOM IT MAY CONCERN:

I, Barbara Kemp, Florida Board of Medicine, Department of Professional Regulation, am the Official Custodian of the records of the Board. I have conducted a thorough search of the Board's official records, and I hereby certify that the Final Order, Administrative Complaint are true and correct copies of the records on file with the Florida Board of Medicine for Ezzart Elah Majd Pour, M.D.

(BOARD SEAL)

FLORIDA STATE BOARD
OF MEDICINE


Business Manager
Board of Medicine

The undersigned authority, Barbara Kemp, Florida Board of Medicine, Department of Professional Regulation, who first being duly sworn says that the above fixed seal is the Official Seal of the Florida Board of Medicine, Department of Professional Regulation, a State Agency.

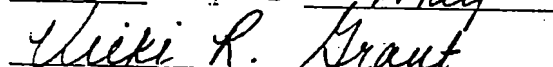

Business Manager

STATE OF FLORIDA

COUNTY OF LEON

Before me personally appeared Barbara Kemp, to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that Barbara Kemp, executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal this
15 day of May, 1989

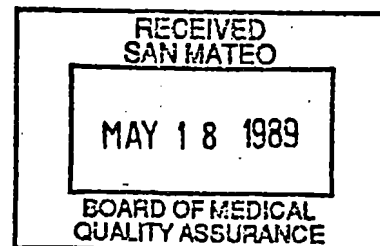

Notary Public

My Commission expires:

Notary Public, State of Florida

My Commission Expires Sept. 1, 1990

Bonded thru Troy Rain Insurance Inc.



FILED

Department of Professional Regulation
AGENCY CLERK

BEFORE THE BOARD OF MEDICINE

DEPARTMENT OF PROFESSIONAL
REGULATION,

CLERK

Shirley Cope

Petitioner,

DATE 12/16/88

vs.

EZZART ELAH MAJD POUR, M.D.,

DPR CASE NO. 0086954
LICENSE NO. ME 0029748

Respondent.

FINAL ORDER

THIS CAUSE came before the Board of Medicine (Board) pursuant to Section 120.57(2), Florida Statutes, on December 2, 1988, in Miami, Florida, for consideration of the Administrative Complaint (attached hereto as Exhibit A) in the above-styled cause. Respondent was served with the Administrative Complaint by publication. Because Respondent failed to submit an Election of Rights or otherwise respond in writing or appear at the hearing, this cause was treated as a default. At the hearing, Petitioner was represented by Stephanie A. Daniel, Attorney at Law. No dispute of material fact has been asserted.

Upon consideration, it is ORDERED:

1. Respondent is found to be in DEFAULT.
2. The allegations of fact set forth in the Administrative Complaint are approved and adopted and incorporated herein by reference as the findings of fact by the Board.

3. The conclusions of law alleged and set forth in the Administrative Complaint are approved and adopted and incorporated herein by reference as the conclusions of law by the Board.

4. The violations set forth warrant disciplinary action by the Board. THEREFORE,

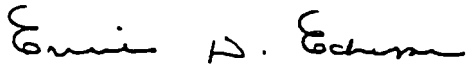
IT IS HEREBY ORDERED AND ADJUDGED:

Respondent's license to practice medicine in the State of Florida is REVOKED.

This order takes effect upon filing with the Clerk of the Department of Professional Regulation.

DONE AND ORDERED this 12th day of December, 1988.

BOARD OF MEDICINE



EMILIO D. ECHEVARRIA, M.D.
CHAIRMAN

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF PROFESSIONAL REGULATION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN 30 DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION
BOARD OF MEDICINE

DEPARTMENT OF PROFESSIONAL
REGULATION,

Petitioner,

vs.

CASE NO. 0086954

Ezzart Elah Majd Pour, M.D.,

Respondent.

ADMINISTRATIVE COMPLAINT

COMES NOW the Petitioner, Department of Professional Regulation, hereinafter referred to as "Petitioner," and files this Administrative Complaint before the Board of Medicine against Ezzat Elah Majd Pour, M.D., hereinafter referred to as "Respondent," and alleges:

1. Petitioner is the state agency charged with regulating the practice of medicine pursuant to Section 20.30, Florida Statutes; Chapter 455, Florida Statutes; and Chapter 458, Florida Statutes.

2. Respondent is and has been at all times material hereto a licensed physician in the State of Florida, having been issued license number ME 0029748. Respondent's last known address is 1218 Millcreek Lane, Columbus, Ohio 43220.

3. Respondent is a licensed physician in the State of Mississippi, having been issued license number 9448.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by certified mail to Ezzart Elah Majd Pour, M.D., 1218 Millcreek Lane, Columbus, Ohio 43220-0375 and by interoffice delivery to Jonathan King, Attorney at Law, Department of Professional Regulation, 130 North Monroe Street, Tallahassee, Florida 32399-0750, at or before 5:00 P.M., this 16th day of December, 1988.

Anthony J. Faircloth

AOG/PourE

4. The Mississippi State Board of Medical Licensure is the Licensing Authority for the State of Mississippi.

5. On or about March 31, 1987, the Mississippi State Board of Medical Licensure suspended Respondent's license to practice medicine for three (3) years after the Board found him guilty of unprofessional conduct and being unable to practice medicine with reasonable skill and safety to patients.

6. On or about June 12, 1987, the Mississippi State Board of Medical Licensure denied Respondent's Motion to Reinstate his license to practice medicine.

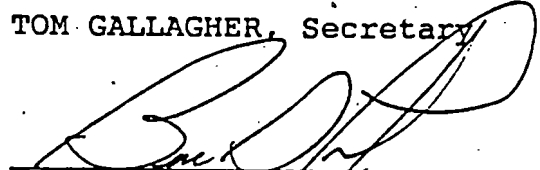
7. Based on the foregoing, Respondent violated Section 458.331(1)(b), Florida Statutes(1987), by having a license to practice medicine revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of any state, territory, or country. The licensing authority's acceptance of a physician's relinquishment of a license, stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of administrative charges against the physician's license.

WHEREFORE, Petitioner respectfully requests the Board of Medicine to enter an Order imposing one or more of the following penalties: revocation or suspension of the Respondent's license, restriction of the Respondent's practice, imposition of an administrative fine, issuance of a

reprimand, placement of the Respondent on probation, and/or any other relief that the Board deems appropriate.

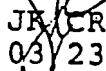
SIGNED this 27th day of April, 1988.

TOM GALLAGHER, Secretary


BY: BRUCE D. LAMB
Chief Medical Attorney

COUNSEL FOR DEPARTMENT:

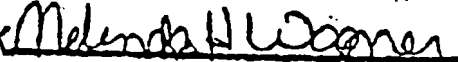
Jonathan King
Staff Attorney
Department of Professional
Regulation
130 North Monroe Street
Tallahassee, Florida 32399-0750
(904) 488-0062


JK/CR/rb/dr
03/23/88

PCP:

FILED

Department of Professional Regulation
AGENCY CLERK

CLERK 

DATE 4-28-88

JOHN K. VAN DE KAMP, Attorney General
of the State of California
JEANNE C. WERNER
Deputy Attorney General
California Department of Justice
455 Golden Gate Avenue, Room 6200
San Francisco, California 94102
Telephone: (415) 464-3787

Attorneys for Complainant

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DIVISION OF MEDICAL QUALITY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation and) NO. D-4095
First Supplemental Accusation)
Against:)

EZZAT ELAH MAJD POUR, M.D.) FIRST SUPPLEMENTAL
P.O.Box 40848) ACCUSATION
Indianapolis, Indiana 46240)

Physician and Surgeon Certificate)
No. A39558,)
Respondent.)

The Complainant alleges:

PARTIES

8. Complainant, Kenneth Wagstaff, is the Executive
Director of the Medical Board of California (hereinafter the
"Board") and brings this First Supplemental Accusation solely in
his official capacity.

9. The allegations of paragraphs 2, 3 and 4 of the
accusation heretofore filed are realleged and incorporated by
reference as if fully set forth.

10. Respondent's certificate is subject to discipline

1 under section 2305 of the Business and Professions Code in that,
2 on November 4, 1988, the Medical Licensing Board of Indiana
3 issued an order nunc pro tunc to October 27, 1988, placing the
4 Indiana medical license of respondent, license no. 01029499, on
5 three years probation on terms and conditions. A copy of said
6 disciplinary order is attached hereto as Exhibit D and is herein
7 incorporated by reference as though fully set forth.

8 PRAYER

9 WHEREFORE, the complainant requests that a hearing be
10 held on the matters herein alleged, and that following said
11 hearing, the Board issue a decision:

12 1. Revoking or suspending Physician and Surgeon
13 Certificate Number A39558, heretofore issued to respondent Ezzat
14 Elah Majd Pour;

15 2. Taking such other and further action as the Board
16 deems proper.

17 DATED: April 18, 1990.

18
19
20 *for* Kenneth Wagstaff
21 Executive Director
22 California Medical Board
23 Department of Consumer Affairs
24 State of California

25 Complainant
26
27

MEDICAL LICENSING BOARD OF INDIANA

CERTIFICATION

I, Patrick J. Turner, Administrator of the Medical Licensing Board of Indiana, through the Health Professions Bureau, being duly sworn upon my oath, depose and say:

I certify that the Health Professions Bureau is the record keeping agency for the Medical Licensing Board of Indiana which is responsible for licensing physicians and osteopathic physicians in the State of Indiana. As Administrator, I am the keeper of the records of administrative proceedings before the Medical Licensing Board of Indiana.

I further certify that the following document is a true and accurate copy of the file in the matter of EZZAT ELAH MAJD-POUR, M.D.

Patrick J. Turner
Patrick J. Turner
Administrator
Medical Licensing Board of Indiana
Health Professions Bureau

STATE OF INDIANA)
)
COUNTY OF MARION) SS

Patrick J. Turner, personally appeared before me, Cindy A. Vaught, and acknowledged the foregoing statements as true this 3rd day of January, 1990.

Cindy A. Vaught
Cindy A. Vaught, Notary Public
County of Residence: Marion
Commission Expires: 11/12/91

Examination No.	166598-\$10.00	166599-\$75.00	Receipt No.	Filing Fee	Exam. Fee	Passed-Failed	Year
	#69797			\$150			
	#76517			\$150			

Name of College	Location	Date of Graduation	Diploma Received
Tehran Univ	Tehran, Iran	6-16-66	
Certificate	Date Issued	County	Town
29499	8-14-79		
Identification	Date	Remarks	

Application Received
RECEIVED

MAR 15 1977

MEDICAL LICENSING
BOARD OF INDIANA

**APPLICATION FOR CERTIFICATE AND
LICENSE TO PRACTICE HEALING ART**

ON EXAMINATION
ON NATIONAL BOARDS
ON FLEX EXAMINATION

Applicant will not write above this line—Secretary use only

I hereby make application for admission to the Indiana examination for license to practice medicine and submit the following statements regarding my education qualifications. I have never before made application to the Medical Licensing Board of Indiana, either by examination or endorsement.

Are you habitually addicted to the use of narcotics or habit-forming drugs? No Do you indulge in alcoholic liquor to excess? no Have you ever been convicted of a crime that either involves a felony or involves moral turpitude? no If so, give particulars _____

Are you a citizen of the United States? No (I will be eligible Dec. 1977)

Declaration of Intent _____ Affidavit _____
(enclosed)

1. Ezzat Elah. Majdpour. Apt. 505, 440, North Winona, st.
Name in Full Address
2. Rezaieh City, IRAN Indianopolis, Indiana, 46202
Place of Birth Date of Birth Color of Eyes Color of Hair Height

165Lb
Weight

Other Means of Identification

System of practice { Regular X
Eclectic
Homeopathic
Physio-Medical
Osteopathic
Drugless } Cross out names not desired

4. I have resided in the following places, since birth, with length of time in each.

Rezaieh City, Iran, from 1945-1960. Tehran, IRAN (1960-1967)
Isfahan, IRAN. (1967-1971). 1971-1972, New York, City.
1972-1974. Harlem, K.Y.
1974-1976, Lexington, K.Y.

5. PRELIMINARY EDUCATION:

I have attended the following institutions with concise statement of period of study, date of diploma or certificate received. Herewith I submit a complete transcript of two years of pre-medical college work which admitted me to the medical course outlined in Article 6, page 2.

Premedical program combined with medical school in IRAN.
College—Pre-Medical Location

6. MEDICAL EDUCATION:

I have spent 7 years in the study of medicine in the institution named below, for the following terms:

The academic year starts from Sept, 21st, each year and ends in July.

(Tehran University School of Medicine, Tehran, Iran)

I received the degree of M.D./D. O. from Tehran University school of Med College, located at Tehran, IRAN on the 16 th day of June year 1966.

I am the person named in the accompanying diploma and am the lawful possessor of same. I make this affidavit for the purpose of obtaining from the Medical Licensing Board of Indiana a certificate authorizing the Clerk of _____ County to issue to me a license to practice medicine in the State of Indiana.

I am the possessor of the licenses as listed below:

(Applicant will give date and source of any license to practice medicine which he may hold, and state whether or not any such license has ever been revoked or become inactive.)

Magid Pour

(Sign Name in Full. Initials Not Sufficient.)

Subscribed and sworn to before me this 4 day of March 1977

BEVERLY S. CRAMER, Notary Public
in and for Montgomery County, Ohio
My commission Expires May 1, 1978

My commission expires _____

Beverly S Cramer
Notary Public

7. PHOTOGRAPHS:

Two loose unmounted photographs, not larger than 3" x 5" must be enclosed. One photograph must be certified on back by a Notary Public, the other to be authenticated by Secretary of this Board and to be displayed on desk during the examination as means of identification.



Photo of holder
(attached)

Official Translation
from Persian language

No. 13631/Rsh
Dated: 15/5/48
(August 6, 1969)

Lion & Sun (Emblem of Iran).

University of Teheran.

According to the Report No. 2-5113, dated: 25/3/1348 (June 15, 1969) submitted by Medicine Faculty, does hereby certify that, Mr. Ezzatollah, Majdipour, holder of Identity Card No. 2 issued at Rezaieh, born in the solar year (A.D.) in Tazeh-Torkman, (holder of above photo), has been studying at the academic-year 1338-39 (1959-60) to the end of the academic-year 1344-45 (1965-66) of the Course of Medical Department "M.D." Degree, below is given a detailed list of the Subjects of his studies during the academic year in accordance with the Faculty's curriculum and the grades he gains for the examinations. This statement, duly issued void of any alteration is given out only for his information, but it does not replace the graduation document.

Subjects	First year: the academic-year 1338-39 (1959-60)	
	Hours per year	Exams grade
Plant Biology Practical	96.	17.
" " Theoretical	64.	20.
Animal Biology Practical	96	13.
" " Theoretical	64	11.
Practical Chemistry	96	x
Theoretical Chemistry	96	11.
Practical Physics	96	10.
Theoretical Physics	128	12.
Psychology	32.	12.
Foreign language	64	15.
Second Year: the academic-year: 1339-40 (1960-1961)		
Practical Anatomy	144	16.
Theoretical anatomy	64	x
Practical Chemis	96	15.
Theoretical Chemistry	64	16.
Practical Physics	96	15
Theoretical Physics	96	10.

25 day of March 1977
Beverly S. Cramer
BEVERLY S. CRAMER, Notary Public
in and for Montgomery County, Ohio
My commission Expires May 1, 1978.

continued on next page:

Official Translation
from Persian language

Lion & Sun (coat-of-arms of the Iranian Government of Iran).

University of Teheran.

(Emblem of the University).

WHEREAS,

Mr. EZEATOLLAH MAJDIPOUR, holder of Identity Card No. 2 ,
issued at Rezaieh, born in the solar year [REDACTED] ([REDACTED] A.D.) in Tapah -
Torkaman, has completed in Khordad-mah of the solar year 1345 (June 1966)
the Study Courses of Faculty of Medicine " Medical Department " and was
entitled to obtain the M.D. Degree, This Diploma is conferred upon him
in pursuance of the Establishment law of the University ratified on 8th
Khordad of the solar year one thousand three hundred thirteen (June 1935),
in order to enjoy the legal privileges appertaining thereto.

Dean of The Faculty of Medicine (signature) and sealed.

The President of the University - Dr. Jahanshah Saleh (signature).

Certified to be true translation from Persian.

Official Translator to the Ministry of Justice

25 day of March 1977

Beverly S Cramer

BEVERLY S. CRAMER, Notary Public
in and for Montgomery County, Ohio
My commission Expires May 1, 1978.

IN THE MATTER OF)
EZZAT E. MAJD-POUR, M.D.)
holder of Indiana Physicians)
license no. 01029499)

Respondent)

FILED

NOV 04 1988

HEALTH PROFESSIONS
BUREAU

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER

An administrative hearing was held before the Indiana Medical Licensing Board (hereinafter "Board") on the 27th day of October, 1988, at 9:30 o'clock, a.m., local time, in the Board Room of the Health Professions Bureau, located at One American Square, Suite 1020, Indianapolis, Indiana, 46282, concerning the Respondent, Ezzat E. Majd-Pour's (hereinafter "Respondent") license to practice medicine, license no. 01029499, in the State of Indiana.

The State of Indiana was represented by counsel, John White, Deputy Attorney General, and the Respondent, appeared in person and was represented by counsel, Charles R. Vaughan, Esq.

The Board members hearing this matter were: George H. Rawls, M.D.; Martin J. O'Neill, M.D.; John H. Hinton, D.O.; Gilbert Wilhelmus, M.D.; and Deanna S. Porte-Keene, M.D.

The Board having considered the Complaint and Notice of Hearing, evidence, judicial notice of its official file including all previous action, and arguments, by a vote of 5 to 0, issues the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent holds a license to practice medicine, license no. 01029499, in the State of Indiana.

2. The Complaint and Notice of Hearing were properly mailed to and received by Respondent pursuant to the notice of provisions of IC 21-5-3-20.

3. In the performance of its statutorily delegated duties and responsibilities, this Board possesses and exercises special administrative expertise in determining whether or not certain practices and activities relate to the competent practice of medicine and/or whether or not such practices and activities constitute the

incompetent practice of medicine.

4. On or about August 7, 1986 Respondent's privileges at Tunica County Hospital, Tunica, Mississippi were suspended, pending a final hearing, due to his irrational behavior at the hospital.

5. On or about September 10, 1986 Respondent's privileges at Tunica County Hospital, Tunica, Mississippi, were permanently revoked after a hearing before the hospital's Board of Directors.

6. On or about August 29, 1986 the Mississippi State Board of Medical Licensure referred Respondent to the Examining Committee of the Mississippi Board of Medical Licensure for a determination as to Respondent's competence to practice medicine with reasonable skill and safety to patients.

7. On or about March 31, 1987, after a hearing, the Mississippi State Board of Medical Licensure concluded that Respondent's actions constituted unprofessional conduct, including dishonorable or unethical conduct likely to deceive, defraud or harm the public and that the Respondent is unable to practice with reasonable skill and safety to patients by reason of mental illness.

8. As a result of the above conclusion the Respondent's license to practice in the State of Mississippi was suspended for a period of three (3) years. A copy of the Order of the Mississippi State Board of Medical Licensure is attached hereto and incorporated by reference hereto as Exhibit "A".

CONCLUSIONS OF LAW

1. The Board has jurisdiction to hear this case and take disciplinary action against Respondent.

2. The Respondent's conduct constitutes violations of IC 25-22.5-6-2.1(b)(1), 25-22.5-6-2.1(b)(4)(c), and 25-22.5-6-2.1(b)(8):

(b) A practitioner shall conduct the practitioner's practice in accordance with the standards established by the board under IC 25-22.5-2-7 and is subject to the exercise of the disciplinary sanctions under subsection (e) if, after a hearing, the board finds:

(1) the practitioner has . . .

.

(4) a practitioner has continued to practice although he has become unfit to practice due to:

c. physical or mental disability

.

(8) a practitioner has had disciplinary action taken against the practitioner or the practitioner's license to practice medicine or osteopathic medicine in any other state or jurisdiction on grounds similar to those under this section. . .

ORDER

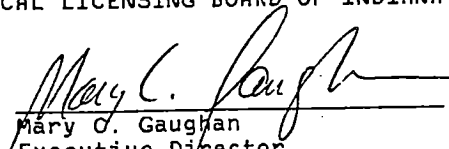
Based upon the foregoing Findings of Fact and Conclusions of Law, the Board now issues the following Order:

1. Respondent's medical license is placed on probation for a period of three (3) years upon the following terms and conditions:
 - (A) Respondent shall practice only in a supervised setting and shall cause written reports to be submitted by his supervising physician regarding his medical practice on an annual basis.
 - (B) During the term of probation, Respondent shall appear before the board on an annual basis and shall provide the board with information regarding his Federal Court litigation in the State of Mississippi and his medical practice in the State of Indiana.
2. Respondent is assessed costs in this action in the amount of \$150, payable to the Health Professions Bureau within thirty (30) days from the receipt of this order.
3. Respondent acknowledges and understands that any violation of the terms and conditions set forth herein shall immediately subject Respondent to the summary suspension of his medical license to practice in the State of Indiana.

All of which is ORDERED, ADJUDGED AND DECREED, this 4th day of November, 1988, nunc pro tunc to the 27th day of October, 1988.

MEDICAL LICENSING BOARD OF INDIANA

BY:


Mary O. Gaughan
Executive Director
Health Professions Bureau

cc: Ezzat E. Majd-Pour, M.D.
113 Third Street
Williamsport, IN 46993
CERTIFIED MAIL #P446 393 824
RETURN RECEIPT REQUESTED

John White
Deputy Attorney General
219 State House
Indianapolis, IN 46204

Charles R. Vaughan
VAUGHAN & VAUGHAN
P.O. Box 498
Lafayette, IN 47902

MISSISSIPPI
STATE BOARD OF MEDICAL LICENSURE
2688-D Insurance Center Drive
Jackson, Mississippi 39216

SEP 08 1987

HEALTH PROFESSIONS
SERVICE BUREAU
Telephone: (601) 354-6645

Frank J. Morgan, Jr., M.D., M.P.H.
Executive Officer

STATE OF MISSISSIPPI

COUNTY OF HINDS

I, Frank J. Morgan, Jr., M.D., Executive Officer of the Mississippi State Board of Medical Licensure, do hereby certify that I am the official custodian of the records of said Board and that the attached Determination and Order, dated March 31, 1987, Order, dated June 12, 1987, relating to the Mississippi medical license of Ezzat E. Majd, Pour, M.D., are true and correct copies of the originals hereof as same appear on file in this office.

Witness my official hand and seal of the Board, this 31st day of August, 1987.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

By: *F. J. Morgan Jr.*
Frank J. Morgan, Jr., M.D.
Executive Officer

Sworn to and subscribed before me this 31st day of August, 1987.

Edwin Pitt
Notary Public
My Commission Expires July 24, 1989

Exhibit "A"

MISSISSIPPI
STATE BOARD OF MEDICAL LICENSURE
2688-D Insurance Center Drive
Jackson, Mississippi 39216

Frank J. Morgan, Jr., M.D., M.P.H.
Executive Officer

Telephone: (601) 354-6645

March 31, 1987

Ezzat E. Majd, Pour, M.D.
575 West Irwin Street
Post Office Box 1756
Tunica, Mississippi 38676

Re: In the Matter of the Physician's License of Ezzat
E. Majd, Pour, M.D.

Dear Dr. Majd:

Enclosed please find Determination and Order rendered by the Mississippi State Board of Medical Licensure as a result of the hearing held on March 19 and 20, 1987. The Order becomes effective immediately upon your or your counsel's receipt of the same. You are advised that you have a right to appeal the decision of the Board pursuant to provisions of the Mississippi Medical Practice Act.

As per the request of your legal counsel, I am hereby submitting the names of two psychiatrists approved by the Board to perform the comprehensive psychiatric and psychological work-up and follow-up treatment and care:

Hiliary F. Linder, M.D.
6005 Park Avenue
Suite 606 Memphis, TN 38119
(901) 767-3475

Melvyn A. Levitch, M.D.
5100 Poplar Avenue
Memphis, TN 38137
(901) 767-4593

Stan Ingram, attorney with the Board, will handle the collection of and transfer of all information which the psychiatrist deems necessary to perform his work-up, treatment and care.

Sincerely,


Frank J. Morgan, Jr., M.D.

FJM, JR:js
Enclosure
cc: Jim Waide
Stan T. Ingram
Sarah DeLoach

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE
PHYSICIAN'S LICENSE OF
EZZAT E. MAJD, POUR, M.D.

DETERMINATION AND ORDER

This matter came on regularly for hearing on March 19, 1987, before the Mississippi State Board of Medical Licensure pursuant to Miss. Code Ann. §73-25-63. The Board initiated these proceedings on July 20, 1986, by referral of Ezzat E. Majd, Pour, M.D. to the designated members of the Examining Committee, pursuant to Miss. Code Ann. §73-25-51 through §75-25-67, for the purpose of determining the fitness of Dr. Majd to practice medicine with reasonable skill and safety to patients, either on a restricted or unrestricted basis. Dr. Majd was thereafter ordered to appear before the Examining Committee on September 18, 1986. Dr. Majd appeared before said committee and was found to be suffering from a major mental disorder and unable to practice medicine with reasonable skill and safety to patients. However, prior to rendering a final determination, the committee ordered Dr. Majd to submit to a psychiatric evaluation/examination pursuant to Miss. Code Ann. §73-25-57(2). On October 6, 8, and 10, 1986, Dr. Majd submitted to such an examination and on October 13, 1986, a report was rendered concluding that Dr. Majd was suffering from a major thought disorder. On October 16, 1986, the Examining Committee rendered its Final Recommendation and Order finding

that Dr. Majd was unable to practice medicine with reasonable skill and safety to patients by reason of mental illness.

On October 16, 1986, the Board issued a Summons and Order of Temporary Suspension informing Ezzat E. Majd, Pour, M.D. that the Board had reason to believe that he was unable to practice medicine with reasonable skill and safety to patients by reason of mental illness. Dr. Majd's medical license was temporarily suspended pending the outcome of the scheduled hearing on November 20, 1986.

Pursuant to written request of Ezzat E. Majd, Pour, M.D., the Mississippi State Board of Medical Licensure rendered an order continuing the matter until the next regularly scheduled meeting on January 15, 1987, and prohibiting Dr. Majd from practicing medicine during the interim. The matter was further continued until March 19, 1987, in response to a motion filed on December 30, 1986, on behalf of Dr. Majd. On February 12, 1987, the Board expanded these proceedings by issuing a Supplemental Summons and Affidavit informing Ezzat E. Majd, Pour, M.D. that it had reason to believe that he was in violation of Miss. Code Ann. §73-25-29(8) and §73-25-83(4), in that Ezzat E. Majd, Pour, M.D., a physician duly licensed under the authority of the State Board of Medical Licensure and the laws of the State of Mississippi, was guilty of unprofessional conduct, which includes being guilty of any dishonorable or unethical conduct likely to deceive, defraud or harm the public.

A hearing was convened at 10:00 o'clock A.M., March 19, 1987, Ezzat E. Majd, Pour, M.D., being present, represented by

Jim Waide. Evidence and testimony was then presented. Based on the above, the Board renders the following findings of fact, conclusions of law and order:

FINDINGS OF FACT

I.

EZZAT E, MAJD, POUR, M.D., hereinafter referred to as "Licensee", has been licensed to practice medicine in the State of Mississippi since September 9, 1981, pursuant to Miss. Code Ann. §73-25-1, holding Mississippi License No. 9448.

II.

Prior to seeking licensure in the State of Mississippi, Licensee served a two-year residency in surgery between August 1972 and August 1974 at the Appalachian Regional Hospital, Harlan, Kentucky. During his residency at the Appalachian Regional Hospital, Licensee was admitted to said hospital for treatment between December 24, 1973, and January 2, 1974, with chief complaints of weight loss, dizziness and syncopal episodes. During Licensee's treatment, he consulted a psychiatrist and was diagnosed as suffering from depression and a mild schizoid personality with a final diagnosis of hyperthyroidism, postural hypotension, anxiety depressive reaction and situational stress reaction.

III.

Licensee began practicing in Tunica, Mississippi, on or about June, 1985. On August 6, 1986, at approximately 6:35 o'clock P.M., patient Bobbie I. [REDACTED] was transported to the Tunica

County Hospital via ambulance. The patient was found to be dead upon arrival. Notwithstanding, the emergency room physician and nursing staff immediately initiated attempts to resuscitate the patient without regard as to the patient's identity or whom the patient's physician was. Resuscitation attempts were unsuccessful. Thereafter, Licensee accused the attending physician and nursing staff of "stealing" and "killing" patient Bobbie I. On the following day, August 7, 1986, Licensee went to the Tunica County Hospital, and accused the medical and nursing staff of "killing", "murdering", and "stealing" his patients. Licensee accused one particular nurse of being a "prostitute" and "turning into a vampire at night" and killing "hundreds" of his patients. Other accusations, too numerous to mention, included statements that the medical and nursing staff were killing his patients, that the medical and nursing staff and board of directors of the Tunica County Hospital were members of the "klan" and "racists" and that they were plotting to kill him or run him out of town. The above accusations were made at the Tunica County Hospital before numerous medical and staff personnel and were made in such a loud tone and manner as to indicate loss of control.

IV.

The accusations by Licensee toward the medical and nursing staff at Tunica County Hospital and other individuals during August 6, 1986, and August 7, 1986, were false and without any basis in fact. Although evidence reflects that deaths have occurred at the Tunica County Hospital, no complaints of mysterious deaths were filed with state or local authorities and the

number and causes of deaths occurring at the hospital were not unusual for a hospital of that size and type.

V.

On August 8, 1986, Licensee wrote and gave to other parties, including office staff, a note stating that on that date he was "threatened to be killed, if in future I murdered, my killer is Dr. Larry Black and Paris Prince only (otherwise nobody else is responsible)." Said note then provides that "These two people may kill me indirectly, but responsibility of murder should stay only with them, and nobody else." Although evidence presented indicates that Dr. Majd or his staff may have received phone calls of threatening nature, we find that there is no basis in fact for the accusation concerning Larry Black, M.D. and further, by Licensee's own admission, the accusation concerning Paris Prince was without merit.

VI.

That Licensee has on occasion carried a 38-caliber pistol on his person and in the presence of his staff, yielded the weapon in such a manner as to frighten his staff.

VII.

Licensee has exhibited other conduct and behavior indicative of an individual suffering from mental illness. Further, Licensee's own testimony revealed characteristics of one suffering from mental illness as substantiated by the expert testimony of Rodrigo M. Galvez., M.D. and George Hamilton, M.D.

VIII.

On or about July 7, 1986, Licensee admitted patient Doshie A [REDACTED] to the Tunica County Hospital for the purpose of performing a breast biopsy. Licensee later scheduled and directed the nurses to prepare the patient for a simple mastectomy and excision of the lymph nodes to be performed under local anesthesia. Such a procedure should only be accomplished under general anesthesia and Licensee was prevented from carrying out the procedure by action of the medical staff.

IX.

On July 20, 1986, Frank J. Morgan, Jr., M.D., Executive Officer of the Mississippi State Board of Medical Licensure, referred Licensee to the designated members of the Examining Committee, pursuant to Miss. Code Ann. §73-25-51 through §75-25-67, for the purpose of determining the fitness of Licensee to practice medicine with reasonable skill and safety to patients, either on a restricted or unrestricted basis. Licensee was thereafter ordered to appear before the Examining Committee on September 18, 1986. Licensee appeared before said committee and was found to be suffering from a major mental disorder and unable to practice medicine with reasonable skill and safety to patients. However, prior to rendering a final determination, the committee ordered Licensee to submit to a psychiatric evaluation/examination performed by a psychiatrist and psychologist approved by the Board. Licensee chose Rodrigo M. Galvez, M.D. and James E. Stary, Ph.D., 1030 Riverside Plaza, Flowood, Mississippi, to perform the psychiatric evaluation/examination. On

October 6, 8, and 10, 1986, Licensee was examined by Rodrigo M. Galvez, M.D. and James E. Stary, Ph.D. and upon conclusion of said evaluation, a report was rendered to the Board dated October 13, 1986, concluding that Licensee was suffering from a major thought disorder, paranoid state, was incompetent and not responsible. Further, it was the opinion of Dr. Galvez that because of this condition, Licensee was in need of immediate medical treatment and his continued practice of medicine constitutes imminent danger to public health and safety. On October 16, 1986, the Examining Committee rendered its Final Recommendation and Order finding that Licensee was unable to practice medicine with reasonable skill and safety to patients by reason of mental illness.

X.

In addition to the above, Licensee has sought independent evaluations by G. H. Aivazian, M.D., Delores M. Digaetano, M.D., Jan T. Goff, M.D. and Ken Lippincott, M.D., in several instances, said physicians utilizing reports from independent psychologists. In each case, Licensee was found not to be suffering from a psychiatric disorder. However, several of the reports rendered by said physicians were qualified as to the accuracy of that information provided by Licensee and in each situation, the physician/psychologist based their evaluation on incomplete background history and/or improper data.

XI.

That Licensee was also examined by William M. Kallman, Ph.D who described Licensee's conduct as not indicative of "delusional"

behavior, but merely 'angry exaggerations.' However, Dr. Kallman did find that Licensee may have suffered on one occasion from an "acute paranoid disorder."

CONCLUSIONS OF LAW

After considering all the evidence presented, and based on the Board's personal observation of Licensee during his testimony, the Board hereby determines that Licensee's actions constitute unprofessional conduct, including dishonorable or unethical conduct likely to deceive, defraud or harm the public and that Licensee is unable to practice medicine with reasonable skill and safety to patients by reason of mental illness.

ORDER

IT IS HEREBY ORDERED that the Final Recommendation of the Examining Committee rendered October 16, 1986, is hereby accepted;

IT IS FURTHER ORDERED that on the basis of the findings of fact enumerated above, Mississippi Medical License No. 9448 issued to Ezzat E. Majidi-Pour, M.D., is hereby suspended for a period of three (3) years; however, said suspension will be stayed upon completion of and compliance with all of the following conditions to the satisfaction of the Mississippi State Board of Medical Licensure:

1. A physical examination, including CT scan of the head, endocrine survey and urine and blood drug screens by a physician approved by the Board of Medical Licensure with the results of

the examination submitted to the Board within thirty (30) days of receipt of this order;

2. A comprehensive psychiatric and psychological work-up with follow-up treatment and care by a psychiatrist approved by the Board of Medical Licensure from either Mississippi or Memphis, Tennessee. The results of the work-up are to be submitted to the Board within sixty (60) days of receipt of this order.

3. Monthly progress reports from the Board approved psychiatrist are to be submitted to the Board within fifteen (15) days of the end of each month during treatment.

4. All expenses incurred in carrying out this Order shall be borne by Licensee.

IT IS FURTHER ORDERED that pursuant to Miss. Code Ann. §73-25-27, as amended, a copy of this Determination and Order shall be sent by registered mail or personally served upon Ezzat E. Majd, Pour, M.D., and should become effective immediately upon receipt thereof.

THIS, the 31ST day of March, 1987.

MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE

By: Frank J. Morgan, Jr.
FRANK J. Morgan, Jr., M.D.
Executive Officer

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Executive Officer

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June 12, 1987

Ezzat E. Majd, Pour, M.D.
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Post Office Box 1756
Tunica, Mississippi 38676

Re: In the Matter of the Physician's License of Ezzat
E. Majd, Pour, M.D.

Dear Dr. Majd:

Enclosed please find order rendered by the Mississippi State Board of Medical Licensure as a result of the Board's consideration of your Motion for Reinstatement at its June 4, 1987, meeting. The order becomes effective immediately upon your and your counsel's receipt of the same.

In an effort to assist you with reinstatement of your license, you have been granted an additional sixty (60) days to complete the physical examination and comprehensive psychiatric/psychological work-up with follow-up treatment and care. For this purpose, the order has enclosed a list of approved internists and psychiatrists licensed to practice medicine in the State of Mississippi. After you have chosen the internist and psychiatrist please notify the Board prior to submission for examination and care. The Board will provide the physicians with a copy of the March 31, 1987, Determination and Order and will extend access to any and all material which the physicians deem necessary to perform their examination and care.

If you have any questions, please do not hesitate to contact this office.

Sincerely,


Frank J. Morgan, Jr., M.D.

FJM, JR:js
Enclosures
cc: Jim Waide
Stan Ingram
Sarah DeLoach

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE OF

EZZAT E. MAJD, POUR, M.D.

ORDER

This matter came on regularly for hearing on June 4, 1987, before the Mississippi State Board of Medical Licensure in response to the motion of Ezzat E. Majd, Pour, M.D., hereinafter "Licensee", for reinstatement of his license to practice medicine in the State of Mississippi. Licensee was previously suspended from the practice of medicine by order of the Board rendered on March 31, 1987. This order was entered after a lengthy hearing held on March 19 and 20, 1987, wherein Licensee was found guilty of unprofessional conduct, including dishonorable or unethical conduct likely to deceive, defraud or harm the public and was found unable to practice medicine with reasonable skill and safety to patients by reason of mental illness. The Determination and Order rendered by the Board, from which Licensee did not appeal, suspended his license to practice medicine for a period of three (3) years, however, it was provided that the suspension would be stayed upon completion of and compliance with four (4) enumerated conditions, to wit:

1. A physical examination, including CT scan of the head, endocrine survey and urine and blood drug screens by a physician approved by the Board of Medical Licensure with the results of the examination submitted to the Board within thirty (30) days of receipt of this order;

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Sima G. Issen, M.D.
1920 Watling Wayn
Columbus, MS 39701

John D. McBrayer, M.D.
425 Hospital Drive
Columbus, MS 39701

James S. Rawson, M.D.
2500 5th Street N.
Columbus, MS 39701

John E. Reed, Jr., M.D.
425 Hospital Drive
Columbus, MS 39701

Thomas E. Sheffield, M.D.
425 Hospital Drive
Columbus, MS 39701

Jesse C. Williams, M.D.
Columbus Family Health
520 Willowbrook Road
Columbus, MS 39701

Ruby G. Moy, M.D.
Route 2, Box 239-D
Canton, MS 39046

Bryan F. McCraw, M.D.
1507 Church Street
Columbia, MS 39429

Ganesh N. Kini, M.D.
501 S. Chestnut St.
Aberdeen, MS 39730

Danny D. Moore, M.D.
800 N. Boulevard Dr.
Amory, MS 38821

Benjamin F. Sanford, Jr., M.D.
306 Lampkin
Starkville, MS 39759

Walter S. Sanford, M.D.
Route 5, Box 26
Starkville, MS 39759

Richard T. Green, M.D.
921 6th Avenue
Picayune, MS 39466

Stanford A. Owen, M.D.
1018 6th Avenue
Picayune, MS 39466

Larry B. Aycock, M.D.
300 Rawls Dr.
McComb, MS 39648

Robert E. Decoux, Jr., M.D.
300 Rawls Dr.
McComb, MS 39648

Thomas J. Putnam, M.D.
208 N. First Street
Booneville, MS 38829

Clara A. Myers, M.D.
348 Crossgates Blvd.
Brandon, MS 39042

Charles E. Sledge, Sr., M.D.
MS State Hospital
Whitfield, MS 39193

Thomas F. Barkley, M.D.
300 Oxford Road
New Albany, MS 38652

Thomas A. Shands, M.D.
301 Oxford Road
New Albany, MS 38652

Harish M. Madani, M.D.
P. O. Box 392
Tylertown, MS 39667

Santhosh K. Reddy, M.D.
P. O. Box 558
Tylertown, MS 39667

Michael L. Davis, M.D.
3311 I-20 Frontage Rd
Vicksburg, MS 39180

Karl W. Hatten, M.D.
3311 I-20 Frontage R
Vicksburg, MS 39180

Barry W. Holcomb, M.D.
P. O. Box 231
Vicksburg, MS 39180

Joseph M. Ross, Jr., M.D.
P. O. Box 231
Vicksburg, MS 39180

Polly M. Sepulvado, M.D.
100 McAuley Dr.
Vicksburg, MS 39180

Jerry M. Cunningham, M.D.
521 Fairview
Greenville, MS 38701

Steve M. Dragojevic, M.D.
250 Cypress Lane No.3-D
Greenville, MS 38701

Alonza L. Farr, M.D.
404 Alexander
Greenville, MS 38701

Robert Z. Fialkow, M.D.
1317 Railroad Avenue
Greenville, MS 38701

Robert E. Lee, M.D.
1307 E. Union St.
Greenville, MS 38701

Leon Lenoir, M.D.
1307 E. Union St.
Greenville, MS 38701

Jack Q. Causey, M.D.
Box 339
The Field Clinic
Centerville, MS 39631

Robert L. Lewis, M.D.
P. O. Box 876
Woodville, MS 39669

BOARD APPROVED PSYCHIATRISTS

Charles D. Burgess, Sr. M.D.
Highway 98 W Lake Forgetful
Route 13, Box 91
Hattiesburg, MS 39401

Raymond V. Kimble, III, M.D.
2409 Mamie Street
C/O Psy Group
Hattiesburg, Ms 39401

Gathel O. Runnels, M.D.
2409 Mamie Street
Hattiesburg, MS 39401

Leonard D. Ball, III, M.D.
57 52nd Street
Gulfport, MS 39501

Henry A. Maggio, M.D.
4501 15th Street
Gulfport, MS 39501

Robert G. Slack, M.D.
238 Lovers Lane
Ocean Springs, MS 39564

Benjamin F. Vogel, M.D.
60 Cindy Cove
Gulfport, MS 39503

Barry C. Amyx, M.D.
University Medical Center
Dept. of Psychiatry
2500 North State St.
Jackson, MS 39216

Edgar Draper, M.D.
University Medical Ctr.
Dept of Psychiatry
2500 North State St.
Jackson, MS 39216

Gray Hilsman, M.D.
1501 Lakeland Dr.
Suite 301
Jackson, MS 39216

Robert M. Ritter, M.d.
Dept. of Psychiatry
971 Lakeland #610
Jackson, MS 39216

James E. Ruff, II, M.D.
St. Dominic Medical Offices
971 Lakeland Dr. #610
Jackson, MS 39216

Garfield Tourney, M.D.
Univeristy Medical Ctr.
Dept. of Psychiatry
Jackson, MS 39216

EXHIBIT "B"

Emanuel G. Defraites, M.D.
4208 Pass Road
Biloxi, MS 39531

Robert T. Anderson, M.D.
1719 Hwy 19 North
Meridian, MS 39305

William H. Dudley, Jr., M.D.
P.O. Box 3037
Meridian, MS 39301

Robert L. McKinley, Jr., M.D.
Region VI Mental Health Ctr
P. O. Box 1505
Greenwood, MS 38930

Samuel R. Pate, Jr., M.D.
1030 Riverside Plaza
Jackson, MS 39208

Mario R. Pineda, M.D.
1050 N. Flowood Dr.
Jackson, MS 39208

STATE OF INDIANA,
Petitioner,
v.
EZZAT ELAH MAJD-POUR, M.D.,
Respondent.

FILED

MAY 18 1988

HEALTH PROFESSIONS
BUREAU

COMPLAINT

Comes now the State of Indiana (hereinafter "Petitioner") by counsel, Linley E. Pearson, Attorney General of Indiana, and John M. White, Deputy Attorney General, pursuant to the authority of IC 25-1-7-7(a), and for its complaint against Ezzat Elah Majd-Pour, M.D. alleges and says that:

COUNT I

1. The Attorney General of Indiana is empowered to bring disciplinary complaints in the name of the State of Indiana before the Medical Licensing Board of Indiana (hereinafter "Board") pursuant to IC 25-1-7 et seq.

2. The Board is charged with the duty and responsibility of regulating the practice of medicine in the State of Indiana pursuant to IC 25-22.5-2-7.

3. The Board is empowered to hold disciplinary hearings pursuant to the authority of IC 25-22.5-2-7 and IC 4-21.5-3 et seq.

4. Ezzat Elah Majd-Pour, M.D., (hereinafter "Respondent") who resides at 1218 Millcreek Lane, Columbus, Ohio 43220, is a duly licensed physician in the State of Indiana holding Indiana physician's license no. 01029499.

5. Respondent also holds a license to practice medicine in the State of Mississippi, License No. 9448.

6. On or about August 7, 1986 Respondent's privileges at Tunica County Hospital, Tunica, Mississippi were suspended, pending a final hearing, due to his irrational behavior at the hospital.

7. Attached hereto and incorporated herein by reference as exhibit "A" is a true and accurate copy of a letter, dated August 21, 1986, from James M. Wilson, President of Tunica County Hospital, to Respondent specifically stating the allegations against Respondent.

8. On or about August 29, 1986 the Mississippi State Board of Medical Licensure referred Respondent to the Examining Committee for a determination as to Respondent's competence to practice medicine with reasonable skill and safety to patients.

9. Attached hereto and incorporated herein by reference as exhibit "B" is a true and accurate copy of the Referral of Physician to Examining Committee issued by the Mississippi State Board of Medical Licensure on or about August 29, 1986.

10. On or about September 10, 1986 Respondent's privileges at Tunica County Hospital, Tunica, Mississippi, were permanently revoked after a hearing before the hospital's Board of Directors.

11. Attached hereto and incorporated herein by reference as exhibit "C" is a true and accurate copy of the Resolution of the Board of Directors of Tunica County Hospital, Inc. issued on or about September 10, 1987, revoking Respondent's privileges.

12. On or about September 18, 1986 Respondent appeared before the Examining Committee of the Mississippi Board of Medical Licensure. The Committee postponed its final determination of Respondent's fitness to practice medicine and ordered him to submit to a psychiatric examination and evaluation by a board approved psychiatrist and comprehensive psychological testing by a clinical psychologist.

13. Attached hereto and incorporated herein by reference as exhibit "D" is a true and accurate copy of the Recommendation and Order of the Examining Committee issued by the Examining Committee on or about September 18, 1986.

14. On or about October 6, 8 and 10, 1986 Respondent underwent psychiatric evaluation by Rodrigo M. Galvez, M.D.

The evaluation revealed that Respondent suffers from a major thought disorder, paranoid state, is incompetent and is not responsible.

15. Attached hereto and incorporated herein by reference as exhibit "E" is a true and accurate copy of a Respondent's psychiatric evaluation dated October 13, 1986 by Rodrigo M. Galvez, M.D.

16. Prior to October 9, 1986 Respondent underwent psychological testing administered and interpreted by James E. Stary, Ph.D., including the Wechsler Adult Intelligence Scale, Minnesota Multiphasic Personality Inventory, Sentence Completion Form and Rorschach Technique.

17. Attached hereto and incorporated herein by reference as exhibit "F" is a true and accurate copy of the Psychological Report on Respondent, dated October 9, 1986, prepared by James E. Stary, Ph.D.

18. On or about October 16, 1986 The Examining Committee issued its Final Recommendation and Order finding that Respondent suffers from a major thought disorder, paranoid state, is incompetent and not responsible. The Committee further found that Respondent was in need of immediate medical treatment and his continued practice of medicine constituted an immediate danger to public health and safety.

19. Attached hereto and incorporated herein by reference as exhibit "G" is a true and accurate copy of the Final Recommendation and Order of Examining Committee issued on or about October 16, 1986.

20. On or about October 16, 1986, Respondent's Mississippi medical license was placed on temporary suspension by the Mississippi State Board of Medical Licensure pending the outcome of a final hearing.

21. Attached hereto and incorporated herein by reference as exhibits "H" and "I" are true and accurate copies of the Summons and Order of Temporary Suspension issued on or about October 16, 1986 and the Supplemental Summons issued on or about

February 12, 1987 by the Mississippi State Board of Medical Licensure.

22. On or about March 31, 1987, after a hearing, the Mississippi State Board of Medical Licensure concluded that Respondent's actions constituted unprofessional conduct, including dishonorable or unethical conduct likely to deceive, defraud or harm the public and that the Respondent is unable to practice medicine with reasonable skill and safety to patients by reason of mental illness. The Mississippi State Board of Medical Licensure suspended Respondent's Mississippi medical license for a period of three (3) years. Said suspension is to be stayed upon completion and compliance with conditions imposed by the Mississippi Board.

23. Attached hereto and incorporated herein by reference as exhibit "J" is a true and accurate copy of the Determination and Order issued by the Mississippi State Board of Medical Licensure in the Matter of Ezzat E. Majd-Pour, M.D. on or about March 31, 1987.

24. Respondent was disciplined by the Mississippi State Board of Medical Licensure and found in violation of § 73-25-29 and § 73-25-53 Mississippi Code (1972) Annot. to-wit:

§ 73-25-29. nonissuance, suspension, revocation or restriction of license -- grounds.

The grounds for the nonissuance, suspension, revocation or restriction of a license are:

...
(8) Unprofessional conduct which includes, but is not limited to:

(d) Being guilty of any dishonorable or unethical conduct likely to deceive, defraud or harm the public.

* * * *

§ 73-25-53. Conditions warranting restriction, suspension or revocation of a license.

The license of any physician to practice medicine in this state shall be subject to restriction, suspension or revocation, as hereinafter provided, in case of inability of the licensee to practice medicine with reasonable skill or safety to patients by reason of one or more of the following:

(a) Mental illness.

The grounds stated above are similar to those under IC 25-1-9-4.

25. The conduct described above constitutes continuing to practice although the practitioner has become unfit to practice due to professional incompetence and mental disability in violation of IC 25-1-9-4(a)(4)(A) and (C); constitutes disciplinary action taken against the practitioner or the practitioner's license to practice medicine or osteopathic medicine in any other state or jurisdiction on grounds similar to those under IC 25-1-9-4 in violation of IC 25-1-9-4(a)(7).

WHEREFORE, Petitioner demands an order against Respondent, Ezzat E. Majd-Pour, M.D., that:

1. Imposes the appropriate disciplinary sanction pursuant to IC 25-1-9;

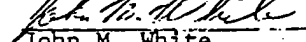
2. Requires Respondent to submit to psychiatric tests/evaluations, performed by a board certified psychiatrist to be chosen by the Respondent from a list of three (3) board certified psychiatrists provided to Respondent by the Medical Licensing Board of Indiana, including, but not limited to:

- a) Minnesota Multiphasic Personality Inventory (MMPI)
- b) Rorschach test
- c) Thematic Apperception Test (TAT)
- d) Wechsler Adult Intelligence Scale (WAIS)

3. Such further relief as the Board deems just and proper in the premises.

Respectfully submitted,

LINLEY E. PEARSON
Attorney General of Indiana

By: 
John M. White
Deputy Attorney General

Certified Mail #P446 393 792

Office of Attorney General
219 State House
Indianapolis, IN 46204
Telephone: (317) 232-6256
JMW/KMR/sb:4392S

Resent 1st Class Mail 6/14/88

TUNICA COUNTY HOSPITAL, INC.
U. S. Highway 61 North
P.O. Box 428
Tunica, MS 38676

August 21, 1986

Dr. Ezzat Majd
P.O. Box 1756
Tunica, Mississippi 38676

Dear Dr. Majd:

The purpose of this letter is to notify you that the Board of Directors of the Tunica County Hospital, Inc., is considering whether or not to issue an order permanently revoking your privileges at the Hospital. As you know at the present time your privileges have been temporarily suspended pending a full hearing of all relevant matters. The matters which the Board will consider at the hearing are as follows:

- (1) Your treatment of personnel at the hospital and derogatory statements made by you to personnel at the hospital on August 7, 1986, which events were discussed in some detail by you and other witnesses at the hearing concerning your temporary suspension which hearing was held on August 12, 1986, in your presence and with your attorneys;
- (2) It is charged that you wrote on your prescription pad a memorandum which is attached hereto and that you handed this memorandum out to persons who came into your clinic on August 8. A copy of this memorandum is attached as an exhibit to this letter. The Board will consider whether or not (a) you wrote the memorandum; (b) whether or not there was some basis for your fear; or (c) whether or not you wrote the memorandum and there was no basis for your fear;
- (3) It has been charged that you have made improper entries on charts at the hospital. It is charged that you have added orders after the fact rather than making entries in chronological order. If you or your attorney would like to discuss which charts are in question or would like to examine the charts, please contact me and I will make arrangements for your examination at a proper time and place before the hearing;
- (4) It is alleged that you have without cause accused employees of killing and injuring patients by giving wrong drugs and not giving drugs that you ordered;
- (5) It is alleged that you have wrongfully accused employees of the hospital of torturing patients;



Dr. Ezzat Majd
Page Two
August 21, 1986

- (6) It is alleged that you have wrongfully accused employees of the hospital of asking patients to leave the hospital;
- (7) It is alleged that you have failed to complete the records which you are required to complete in a timely fashion;
- (8) It is alleged that you scheduled surgery which was unsafe and contrary to your privileges and authorizations at the hospital and contrary to the rules and regulations of the hospital;
- (9) It is alleged that without provocation you exhibited outrageous conduct at a medical staff meeting while staff members were trying to explain the DRG program to you;
- (10) It is alleged that you accused staff members at the hospital of stealing dictation tapes;
- (11) It is alleged that you refused to comply with the Medicare and Medicaid regulations;
- (12) It is charged that you have intentionally made false or exaggerated statements that were incorrect concerning the hospital including accusing hospital personnel of being klansmen, racists, and criminals.
- (13) It is charged that you made a false statement on television concerning the care of a lady who had a baby in the hall at the hospital;
- (14) It is alleged that you have written on hospital charts that records have been dictated when in fact you had not dictated a complete record.
- (15) Your application shows that you were born in Iran and you have not furnished evidence that you are naturalized citizen of the United States or that you have U. S. Citizenship and we would like for you to furnish evidence at this time of your citizenship;
- (16) Information that you furnished to the hospital shows that you were born on [REDACTED] and that you began your medical study in 1961. We would like an explanation as to how you began your medical training at such a young age.

Dr. Ezzat Majd
Page Three
August 21, 1986

If either you or your attorney do not understand the above matters that will be discussed at the hearing or do not understand them in full, then you may write me a letter setting forth what further information you desire before the hearing begins.

With regard to the date of the hearing, I will call a meeting of the Board of Directors as promptly as possible after you notify me that you are ready for the hearing so that this matter can be disposed in an expeditious manner.

Yours very truly,

TUNICA COUNTY HOSPITAL, INC.

By James M. Wilson
James M. Wilson, President

E. MAJO, M.D.
 GENERAL SURGERY
 TUNICA MEDICAL CENTER
 "Open 24 Hours"
 Office: 6. Colonial St.
 P.O. Box 1756
 Tunica, Miss 38676
 Tel: 601 363 2213

Today 8/8/86, I was
 threatened to be killed,
 if in future I murdered,
 my killer is Dr. Larry Black
 and Paris Pringle
 (otherwise no body else is responsible.)
 E. Majo, M.D.
 8/8/86 7PM

These two people may kill me
 indirectly, but responsibility
 of murder should stay only
 with them, and no body else.
 very truly,
 E. Majo, M.D.

8/8/86
 7PM

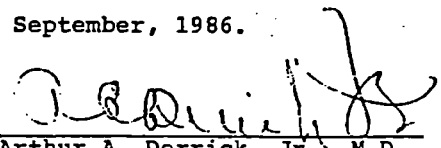
submitted to the Committee by Dr. Majd and the Investigative Staff of the Mississippi State Board of Medical Licensure. The cost of such examination shall be borne by Dr. Majd.

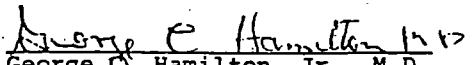
Upon completion of the examination, a complete report of the results, along with a certified copy of all hospital and/or patient records, shall be sent to the Mississippi State Board of Medical Licensure to the attention of its Executive Officer.

Upon receipt of the patient file and report of mental examination, the Examining Committee will render its final opinion and recommendation as to the fitness of Ezzat E. Majd, Pour, M.D., to practice medicine with reasonable skill and safety to patients, either on a restrictive or unrestrictive basis and report its findings and recommendations to the Mississippi State Board of Medical Licensure.

The failure of Ezzat E. Majd, Pour, M.D., to submit to the diagnostic mental examination pursuant to this order shall be reported by the Committee to the Mississippi State Board of Medical Licensure, and, unless due to circumstances beyond the control of Dr. Majd, shall be grounds for the suspension by the Mississippi State Board of Medical Licensure of Dr. Majd's license to practice medicine in this state until such time as he has complied with the order of the Committee.

SO ORDERED this the 18th day of September, 1986.


Arthur A. Derrick, Jr., M.D.,
Chairman


George C. Hamilton, Jr., M.D.


Bruce E. Atkinson, M.D.

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE
PHYSICIAN'S LICENSE OF
EZZAT E. MAJD, POUR, M.D.

REFERRAL OF PHYSICIAN TO EXAMINING COMMITTEE


TO: ARTHUR A. DERRICK, M.D.,
GEORGE C. HAMILTON, JR., M.D.
BRUCE F. ATKINSON, M.D.

By authority granted unto the Mississippi State Board of Medical Licensure pursuant to Mississippi Code (1972) Annot., Sections 73-25-51 through 75-25-67, referral of Ezzat E. Majd, Pour, M.D. is hereby made to you as designated members of the Examining Committee, for the purpose of determining the fitness of Ezzat E. Majd, Pour M.D. to practice medicine with reasonable skill and safety to patients, either on a restricted or unrestricted basis.

The Mississippi State Board of Medical Licensure has reasonable cause to believe that Ezzat E. Majd, Pour, M.D., licensed to practice medicine in this state, is unable to practice medicine with reasonable skill and safety to patients because of mental illness. The examination shall be conducted in the Auditorium of the Felix J. Underwood State Board of Health Building, 2423 North State Street, Jackson, Hinds County, Mississippi on Thursday, September 18, 1986 at 1:30 P.M.

The Mississippi State Board of Medical Licensure further requests that you order said physician to appear before the Committee for the examination, after which, report your findings and recommendations to the Board.

Dated this 29th day of August, 1986, at Jackson, Mississippi.


Frank J. Morgan, Jr., M.D.
Executive Office
Mississippi State Board of
Medical Licensure
2688-D Insurance Center Drive
Jackson, Mississippi 39201



RESOLUTION OF THE BOARD OF DIRECTORS
OF TUNICA COUNTY HOSPITAL, INC.
REVOKING PRIVILEGES OF DR. EZZAT MAJD POUR
AT THE TUNICA COUNTY HOSPITAL, INC.

WHEREAS, complaints have been made concerning Dr. Ezzat Majd pour and notice was duly given to him that a hearing would be held concerning such complaints by letter to him dated August 23, 1986, and a time was set convenient to the parties for hearing at 1:00 o'clock p.m. on September 9, 1986, and various witnesses appeared before the Board and testified and both parties rested and the Board has given consideration to the complaints and to the testimony and other matters presented at the hearing and is of the opinion that the privileges of Dr. Ezzat Majd pour to admit patients to the hospital operated by the Tunica County Hospital, Inc., a Mississippi nonprofit corporation, and to otherwise use hospital services should be terminated.

NOW, THEREFORE, the privileges of Dr. Ezzat Majd pour to admit patients to the hospital operated by the Tunica County Hospital, Inc., a Mississippi nonprofit corporation, and otherwise use hospital services be and the same is hereby terminated.

BE IT FURTHER RESOLVED that James M. Wilson, President of the Board of Directors, is requested to inform Dr. Ezzat Majd pour of this decision.

THUS RESOLVED, this the 10th day of September, 1986.

On motion, the meeting adjourned, this the 10th day of September, 1986.

James M. Wilson
President

ATTEST:

E M Hood
Secretary



BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE
PHYSICIAN'S LICENSE OF
EZZAT E. MAJD, POUR, M.D.

RECOMMENDATION AND ORDER OF THE EXAMINING COMMITTEE

WHEREAS, the Examining Committee as designated by the Mississippi State Board of Medical Licensure under Section 73-25-55 of the "Disabled Physician Law", Mississippi Code (1972) Annot., convened at 1:30 P.M., Thursday, September 18, 1986, in the Auditorium of the Felix J. Underwood State Board of Health Building, 2423 North State Street, Jackson, Hinds County, Mississippi, to conduct an examination of Ezzat E. Majd, Pour, M.D., Tunica, Mississippi, for the purpose of determining his fitness to practice medicine with reasonable skill and safety to patients because of mental illness. Ezzat E. Majd, Pour, M.D. was present for the examination.

WHEREAS, after review of material provided by the Investigative Staff of the Mississippi State Board of Medical Licensure, material presented to the Committee by Ezzat E. Majd, Pour, M.D. and after an examination of Dr. Majd, it is the opinion of the Committee that Dr. Majd suffers from a major mental disorder and is unable to practice medicine with reasonable skill and safety to patients. However, the Examining Committee believes that a diagnostic mental examination of Dr. Majd is necessary for the Examining Committee's final determination of Dr. Majd's fitness to practice medicine.

NOW, THEREFORE, IT IS HEREBY ORDERED that within 30 days of the order, Ezzat E. Majd, Pour, M.D. submit to a psychiatric evaluation/examination performed by a board certified psychiatrist approved by the Mississippi State Board of Medical Licensure and comprehensive psychological testing performed by a licensed clinical psychologist approved by the Board. Said examination shall include at least three follow-up visits with the Psychiatrist having at his/her disposal the same materials



MISSISSIPPI NEUROPSYCHIATRIC CLINIC

1030 RIVERSIDE PLAZA

JACKSON, MISSISSIPPI 39208

(601) 839-1800

October 13, 1986

RODRIGO M. GALVEZ, M.D.
WILLIAM J. CALLESPIE, JR., M.D.
GEORGE D. LAONER, M.D.
S. RAY PATE, M.D.

BENJAMIN A. ROOT, JR., M.D.
BRUCE M. SUTTON, M.D.

JAMES E. STARY, Ph.D.

Frank Morgan, M.D.
Executive Officer
Mississippi State Board of Medical Licensure
2688-D Insurance Center Drive
Jackson, Ms 39216

Re: Ezza Majd, Pour, M.D.

Dear Doctor Morgan:

The Psychiatric Evaluation was done on three interviews held on October 6, 8, and 10. Each interview lasted seventy-five minutes and was done in my office. In addition to that I reviewed copies of material which was submitted to me by the State Board of Medical Licensure. Dr. Majd signed a "Release of Medical Information" and we contacted Harlem, Kentucky but to this date we have not received a reply. Dr. Majd is a forty-seven year old Iranian male who is married and the father of four children. He came to the United States in 1971. He took training in New York City as well as Kentucky and also took some training in Puerto Rico. He is married to an Iranian lady who is a Pediatric Dentist and at this time is teaching at the Ohio State University.

His biographical data is well documented in the material which was submitted to us by the Mississippi State Board of Medical Licensure and that is also supported by information obtained directly from Dr. Majd. At this point I feel that nothing can be added simply because the information submitted to me by the Mississippi State Board of Medical Licensure confers what Dr. Majd told me during the interviews in my office. He says that in 1974 or perhaps in late 1973 he was working long hours at the Harlem Appalachian Regional Hospital and he was dehydrated, didn't have enough food or sleep and he felt very weak. At that time he said that he was admitted briefly to the medical service, he was not quite sure for how many days, he said it was most likely three or four days. While he was an inpatient, he was prescribed sleeping pills but "I did not take them" and also was seen by a psychiatrist who prescribed some nerve pills but "I did not take them because I did not need them either." They put in the chart that I have cataracts, which was a false accusation. He said that there was not any real need for medication at the time, that the only thing he needed was to rest. As a matter of fact after resting a few days he returned to his usual duties. At that time he makes a point of telling me that he was an excellent Resident, has always been an excellent student and in the top of his class. I asked him if he was willing to sign a release of medical information so that we could get his medical records from Kentucky. He did so



but we have not gotten an answer from them. He says that in 1973 he was a second year Resident in General Surgery at the Harlem Appalachian Regional Hospital and that the training program had the Pyramidal System and about the middle of the second year he was informed that there will be no position for him for the third year and that he should look for position in some other training program. This took him by surprise and he says that "the entire hospital got shocked, and they could not understand that he being an excellent Resident, that he was in competition with the American guys and he was much brighter and a better worker than them, that he would be denied the third year position." "Probably the hospital wanted to cover up the injustice." That is the reason why he was found to have cataracts when he has no cataracts. They covered up all so no legal consequences will ensue.

At any rate, he went back to Iran in 1980 and in late 1984 they returned to the United States and he was working in Buffalo, New York until July when he came to Tunica, Mississippi. Shortly after coming to Tunica, Mississippi, his difficulties began. He feels that he was supposed to join a group of six family practitioners in Tunica. They would be referring patients to him from the surrounding communities which includes Senatobia, Coldwater, Tunica, Sardis and two smaller communities which he cannot remember the names of. He says that shortly after coming there he found himself in a disagreement with the six family practitioners who offered him a guaranteed income of \$120,000.00 a year and he was supposed to keep the initial \$500,000.00 and if his gross income exceeded \$500,000.00 in one year the excess of the \$500,000.00 would go to the six family practitioners. He then realized they were asking him to practice poor medicine and he says this in a very calm and collected fashion. He said that they were asking him practically to amputate legs when there was no need, simply because an above the knee amputation would mean \$1100.00 in medical fees. He refused to do things like that and gradually he began to discover that all of the doctors were actually killing people in Tunica and they were in conspiracy with nurses and other people who were trying to cover up all of the mistakes and that he "being a strong and healthy physician wanted to practice only good medicine could not get along with other people." Eventually he says that he split from the group in January, 1986. He began to practice medicine alone but he felt that they were harrasing him. He got threatening phone calls, his phone lines were cut off seven times, his office and home were broken into three times, once to his office and once to his home and once they made noises trying to open a window of his home. In talking about himself he says that he was born in Iran, his native tongue is Turkish but he also speaks Iranian and Arabic fluently. When he was in Puerto Rico he learned some Spanish. He never took formal English language but he learned to speak English by talking with people and he says that he even wrote a book. At this point I asked him what he wrote a book about and he says that the title of his book was "Revolution For the Twentieth Century." The book has nothing to do with politics or sociology. He does not remember who published the book. He says the book is about genetics and "I can change a plant species into other plant species, for example, wheat into mushrooms by using some chemical substances." When I asked him what type of chemical substance he states that he uses Colchicine, and others used in Oncology for treatment of cancer

patients. I could go into a long detailed description of this interview but I prefer to make it brief, should anyone have any doubts you can contact me. In brief Dr. Majd is, at this time, suffering of a Major Thought Disorder. The best way to describe this is in a paranoid state. This is supported by facts, such as, his affect is extremely flat, there are no switches at all when describing his good times like being an excellent student or a father or writing books and describing his troubles with those family practitioners in Tunica, or the Mississippi State Board of Medical Licensure. His mood is friendly and he is cooperative. He is oriented to time, place, person but not too clear to the situation. He knows that he is in a psychiatrist's office for a psychiatric evaluation but he feels that it is mainly "to prove that I am innocent" when the issue is to prove whether or not he is in need of psychiatric help. His memory immediate, recent or remote recalls are good. I happen to know Buffalo, New York and we talked for a while about Deacones Hospital where he worked in the Emergency Room and his description was much the same as I remember of that hospital. Therefore, recent or remote recalls are good. I mentioned to him a color, name and a figure and after a few minutes he could remember those items perfectly well, so memory is intact in all spheres. Speech at times were circumstantial, mild looseness of associations that are perfectly well documented on the recorded interviews. When asked a question he would eventually go into a long explanation and touching different subjects that has no connection to me at all but to him seems to be related to himself.

Thought content and processes: In the interview I asked him about his self-evaluation, whether he was normal, about average or below average as far as intelligence goes. He didn't listen to me and he says that he is extremely bright. At one point he began to say "I am a Ge ----" but he quickly stopped before completing the word. He feels persecuted by the family physicians in Tunica, the Hospital Board and a group of forty millionaires in Tunica who want to cover up the "practice of poor medicine in Tunica." At one point he says that I may not give a good report because I will have to twist my report in order to please the Mississippi State Medical Licensure Board. I asked him how come? and he said, yes, you being a foreigner may be under the same pressure as I am and you may be forced to give a false report. I explained to him that that was not the case and that my report would be unbiased and there will be no pressure from any source on me. His insight and judgment are poor. He feels that this mainly is an issue of covering for mistakes of other physicians in Tunica when actually the issue here is his emotional stability. His judgment is, as I said before, poor which is clearly manifested by facts like writing a letter to the Governor in regard to his predicaments, engaging the FBI and reporting to the FBI what is going on in Tunica, engaging in an Organization by the name of WOSH which stands for Women on Self Help. He could not abstract simple proverbs. I mentioned to him a "tooth for a tooth and an eye for an eye." "It is better late than never" and also another one that I changed from the original form to another as "do to others before they do it to you" and he could not abstract. His thought process was as concrete as it could be. He denied any suicidal or homicidal ideation. Intelligence and knowledge are average and he is not in touch with reality.

Frank Morgan, M.D.

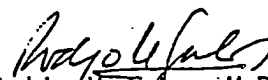
Page 4

SUMMARY:

A 47 year old Iranian male who at this time is suffering from a Major Thought Disorder, paranoid state. I feel that at this time he is not responsible for his behavior. He is obeying well organized delusions and he feels that what he is doing is right and correct because his delusions make him feel that way. He is not competent to practice medicine at this time or, more, to protect himself on legal grounds. I do feel that he would be of poor help to any lawyer who wants to help him in this predicament. There is no sure rule to predict violent behavior in psychiatric patients. However, in view of the life history of Dr. Majd it seems to me that violence should not be of great concern in this case. I presently feel that he is not a violent man and has never been violent as far as we can tell in his past 47 years. He is a very passive-submissive man. I hope to have been of help, again, to close up my summary I will state an opinion.

Opinion: Dr. Majd is suffering of a Major Thought Disorder, paranoid state. He is incompetent and is not responsible.

Sincerely yours,



Rodrigo M. Galvez, M.D.
Diplomate, American Board of
Psychiatry and Neurology

RMG/ok

MISSISSIPPI NEUROPSYCHIATRIC CLINIC

1030 RIVERSIDE PLAZA
JACKSON, MISSISSIPPI 39208

86011 839-1900

RODRIGO M. GALVEZ, M.D.
WILLIAM J. GALESPIC, JR., M.D.
GEORGE D. LADNER, M.D.
S. RAY PATE, M.D.

BENJAMIN A. ROOT, JR., M.D.
JAMES E. STARY, Ph.D.
BRUCE M. SUTTON, M.D.

9 October 86

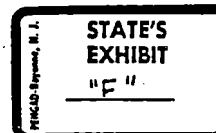
Psychological Report: Majd Pour, Dr. Ezzat E. (M.D.)
Tunica, Mississippi
Referred By: Dr. R. M. Galvez
Jackson, Mississippi
Purpose: General psychological evaluation.
Tests Administered: Wechsler Adult Intelligence Scale
Minnesota Multiphasic Personality Inventory
Sentence Completion Form
Rorschach Technique

This testing was done by clinical associate R. A. Johnson, with the test interpretations and this report being done by the undersigned.

It was reported that Dr. Majd seemed to be well motivated toward the testing situation and he cooperated well with all tasks. He was serious in his approach to all test items. He expressed some concern about cultural differences effecting his test performances, but he did not seem to be especially anxious or apprehensive, particularly in light of the seriousness of his situation. He was friendly and courteous in attitude and behavior. One unusual bit of verbal behavior was his remark during administration of the Rorschach, "What do people see who haven't had parasitology?" Since most of his responses were anatomical in nature (only two responses had parasitic content), this remark seems to be somewhat out of place. Another unusual bit of behavior occurred when I was presenting Dr. Majd with the sentence completion form. He attempted to avoid this procedure by telling me that even though he is fluent in a number of languages, he is not very good in English because he has not had any formal training in grammar and literature". He said that all the English he knows has been learned through contact with people, and he hesitated to write out responses because of his poor grammar. He was persuaded to go ahead and do his best, and indeed he did do a very good job of spelling and grammar usage. These remarks are seen as part of Dr. Majd's defensiveness, perhaps against unwittingly revealing anything about himself which might be unfavorable to him.

Test Results And Interpretations:

On the Wechsler, a full scale I.Q. of 108 was attained, this score falling within the average range of intelligence. A verbal I.Q. of 116 (bright normal) and a non-verbal I.Q. of 97 (average) were scored. Cultural differences may have had some effect in lowering the I.Q.s somewhat, but it is not the I.Q. levels that is so important here as is the fact that the non-verbal I.Q. is 19 points lower than the verbal I.Q.



The first interesting aspect of this psychometric pattern is that physicians who are practicing surgeons typically have the reverse of this pattern, i.e., their non-verbal intellectual skills are usually much higher than their verbal intellectual skills. Even when making allowances for cultural differences there should not be as much of a discrepancy between these I.Q.s as there is. Secondly, affective factors such as anxiety and depression frequently interfere with non-verbal attention, concentration and reasoning and produce lower non-verbal I.Q.s, but there are no other test data to support the notion that either of these factors are present at levels high enough to be interfering factors. Lastly, persons who have paranoid features in their adjustment frequently present this pattern, this being manifested in ordinary life situations by their not being very good at dealing in effective ways with various problem life situations while making extensive use of such verbal defenses as intellectualization and rationalization. The latter option seems to be the most appropriate one with Dr. Majd, judging by his personality test data.

The most striking feature about the Rorschach protocol is the unusually large number of responses with anatomical and medically related content, e.g., transection of the spinal cord, transection of the brain, etc. This is not typical even for physicians, and when this does occur, there are two implications. One is that the person has marked feelings of personal and social insecurity and is prone to retreat into professional/vocational topics when interacting with other people, i.e., he engages in a lot of shop talk because it is with these topics that he feels most comfortable and safe. Secondly, this is a defense in response style against giving responses which he is not sure what the consequences would be. Dr. Majd must feel psychologically very insecure when dealing with life situations which are unfamiliar, complex and ego threatening to him, with his main defense tactic at such times being intellectualization, and when he feels really pressed, pseudo-intellectualization is invoked. The latter must involve some really naive reasoning and explanations. Dr. Majd has a fairly strong sense of urgency for gaining immediate gratification of his wants and needs. This renders his frustration tolerance weak and provides basis for some impulsive acting out behavior which is situation specific and could be highly disruptive to other people. He is remarkably egocentric in self-focusing ways. He must have unrealistic expectations of other people showering him with attention and consideration, and catering to his wants and needs. When these expectations are not fulfilled, he is likely to react with attitudes of resentment and rejection which could have paranoid qualities. People like this usually are hyper sensitive to criticism, both real and implied, and again their reactions could have paranoid qualities. It is interesting to note that with all of Dr. Majd's verbalizations about interest in his patients and their care, this test protocol lacks in support for the notion that he has any real empathic interest in other people, or that he even has much identity with people. Psychologically he remains schizoid in this respect. In fact, a couple of responses suggest that he in fact must have a basically hostile and derisive attitude toward people such as is seen with persons who are some-

what grandiose in their self-valuation, this being a defense against being overwhelmed by strong underlying feelings of inadequacy. There is support here for the notion that Dr. Majd is behaviorally rather passive and that he does not take the initiative for coping with problem-presenting life situations. Even when someone else presents him with a structured plan for solving a problem situation, he lacks initiative for implementing the plan. There is support here for the notion that Dr. Majd is weak in tolerance for psychological stress and that when he is subjected to such stress he is prone to become psychologically disorganized to some degree. This is a longstanding trait with him and not something that is situational or temporary. The index of reality awareness and perceptual accuracy is very low and probably reflects the degree of psychological disorganization present.

In his sentence completion responses, Dr. Majd continued with his defensiveness. None of the responses have reference to his current professional problems. Items which would be appropriate for him to express feelings about his current situation were responded to in ways which have nothing to do with his situation or the people involved. For example, with the following item, I Need, he wrote "to improve in my English communication and language." It seems more realistic to have made reference to having to clear up his current situation as being a major need of his. Instead of writing that it is wrong to treat others in bad ways, as he insists is being done to him, he wrote: It is wrong "not to improve and not to learn." It seems too that if he were to be granted one wish at this time, he would wish to be cleared of his current problem situation. Instead he wrote that if he could have one wish granted to him, he would wish "to succeed in my research work and achieve the goals I am working on it, because those are the ways and goals I like them (sic)." It would have been entirely appropriate for Dr. Majd, according to his viewpoint, to have responded that others are guilty of attempting to ruin him professionally. Instead he wrote the totally innocuous response: Others are guilty "when they commit proven crimes." As with the Rorschach, he responded in ways which he deemed would not be harmful to him because he was not sure just what the consequences of his responses would be. Yet this response style in itself is very inappropriate for one whose professional life is in jeopardy.

The pattern of the validity scales scores of the MMPI indicates that Dr. Majd was extremely defensive in his self-report. While he may be a very moralistic person, this pattern is much too high for only moralistic principles to be operating here. Dr. Majd denied having minor faults which most people readily admit to having. For example, he marked FALSE to such items as: At times I feel like swearing; I do not always tell the truth; I get angry sometimes; Once in awhile I put off until tomorrow what I ought to do today; Sometimes when I am not feeling well I am cross; I do not like everyone I know. That Dr. Majd was very careful in his response style also is reflected that not one of 41 critical items was marked in the scored direction. If what he says about the other physicians in Tunisia is true, one would expect him to have marked TRUE to such critical

items as these: I have had very peculiar and strange experiences; If people had not had it in for me I would have been much more successful; Someone has it in for me; I believe I am being plotted against; I am sure I am being talked about. So along with intellectualization, denial seems to be a major defense tactic as well. Considering his situation, some defensiveness is to be expected, but here, as with the Rorschach and sentence completion form, Dr. Majd's defensiveness is excessive. As would be expected, none of the clinical scales are elevated into the pathologic range. The pattern of excessively high defensiveness with a relatively flat clinical profile is typically seen with persons who are paranoid but who are not blatantly obvious in their features. Instead, on a day to day basis their paranoid qualities are quite subtle. While not elevated into the pathologic range, there is a basic configuration of three clinical scales which suggests that Dr. Majd basically probably is a rather passive and dependent person who now has some general social anger and resentment which may or may not be situation related. The Anxiety Index is only slightly elevated, this not being surprising in light of his extremely defensive response style. Likewise, the Ego Strength scale score is spuriously high because of his defensiveness. On the other hand, the Control Index is quite low so that the clinical features described throughout this report should be fairly readily observable to the person who interacts with Dr. Majd on something more than a superficial basis.

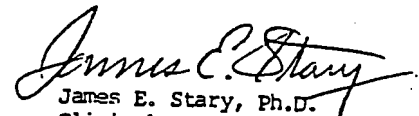
Conclusions And Summary:

It was reported that Dr. Majd seemed to be well motivated toward the testing situation and he cooperated well with all tasks. He was serious in his approach to all test items, but his response style to all of the test procedures was a highly defensive one. He expressed some concern about cultural differences effecting his test performances, but he did not seem to be especially anxious or apprehensive, particularly in light of the seriousness of his situation. Or else he was very cleverly masking his anxiety and apprehension. He was friendly and courteous in attitude and behavior.

On the Wechsler, a full scale I.Q. of 108 was attained, this score falling within the average range of intelligence. A verbal I.Q. of 116 (bright normal) and a non-verbal I.Q. of 97 (average) were scored. Cultural differences may have had some effect in lowering the I.Q.s somewhat, but it is not the I.Q. levels that is so important here as is the fact that the non-verbal I.Q. is 19 points lower than the verbal I.Q. This is an unusual psychometric pattern for a physician who is a practicing surgeon, their non-verbal intellectual functioning usually being much higher than their verbal intellectual functioning. Even when making allowances for cultural differences there should not be as much of a discrepancy between these I.Q.s as there is. Persons who have paranoid features in their adjustment frequently present this pattern, this being manifested by their not being very good at dealing in effective ways with various problem life situations while making extensive use of such verbal defenses as intellectualization and rationalization.

The personality test data support the inference that there is at least a subtle paranoid condition present. There are no blatant examples of disordered thinking of a bona fide schizophrenic type. However, there certainly is some inappropriate thinking taking place in the function of major defense tactics as seen here, these involving obvious denial and pseudo-intellectualization, and probably projection as well. Dr. Majd does not cope with psychological stress in effective ways, something which probably is a longstanding trait with him. Since his frustration tolerance is weak, Dr. Majd must be quick to experience psychological stress which then brings on varying degrees of psychological disorganization, according to the severity of the stress being experienced. When this stress is severe enough he invokes ineffective and even inappropriate paranoid defenses. The more severe the stress the more naive, rigid and inappropriate these defenses become. Dr. Majd is in a state of stimulus overload at this time and he can not effectively and appropriately cope with the demands of this stressful situation. He even naively denies or does not acknowledge that he is experiencing severe psychological stress - this in itself is inappropriate thinking. His psychological structure as reflected here suggests that Dr. Majd probably has had repeated, or at least several psychologically chaotic periods in his life time.

Thank you very much for referring this patient to me.


James E. Stary, Ph.D.
Clinical Psychologist

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE OF

EZZAT E. MAJD, POUR, M.D.

FINAL RECOMMENDATION AND ORDER OF EXAMINING COMMITTEE

WHEREAS, the Examining Committee as designated by the Mississippi State Board of Medical Licensure under Section 73-25-55 of the "Disabled Physicians Law", Mississippi Code (1972) Annotated, convened at 1:30 o'clock P.M., Thursday, September 18, 1986 in the auditorium of the Felix J. Underwood State Board of Health Building, 2423 North State Street, Jackson, Hinds County, Mississippi to conduct an examination of Ezzat E. Majd, Pour, M.D., Tunica, Mississippi, for the purpose of determining his fitness to practice medicine with reasonable skill and safety to patients because of mental illness;

WHEREAS, as a result of said examination, the Committee found Ezzat E. Majd, Pour, M.D. to be suffering from a major mental disorder and unable to practice medicine with reasonable skill and safety to patients. However, before rendering its final recommendation, the Examining Committee ordered Ezzat E. Majd, Pour, M.D. to undergo a psychiatric evaluation/examination within thirty (30) days by a board certified psychiatrist and licensed clinical psychologist, said examination to include three follow-up visits with the psychiatrist having at his/her disposal the same materials submitted to the Committee by the investigative staff of the Mississippi State Board of Medical Licensure and material presented to the Committee by Dr. Majd;

WHEREAS, Ezzat E. Majd, Pour, M.D. chose Rodrigo M. Galvez, M.D. and James E. Stary, Ph.D., 1030 Riverside Plaza, Flowood, Mississippi, as the psychiatrist and psychologist to perform the psychiatric evaluation/examination.

WHEREAS, between October 6, 1986 and October 10, 1986, Ezzat E. Majd, Pour, M.D. was examined by Rodrigo M. Galvez, M.D. and James E. Stary, Ph.D. During said examination Drs. Galvez and Stary had at their disposal the same materials submitted to

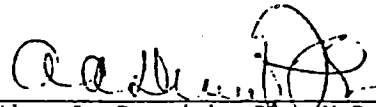


the Examining Committee by Dr. Majd and the investigative staff of the Mississippi State Board of Medical Licensure. On October 13, 1986, Dr. Galvez rendered to the Mississippi State Board of Medical Licensure his report of examination of Dr. Majd along with a psychological report, dated October 9, 1986 from James E. Stary, Ph.D., Clinical Psychologist. A copy of both reports is attached hereto as Exhibit "A" and incorporated herein by reference.

NOW THEREFORE, after review of the October 13, 1986 report from Rodrigo M. Galvez, M.D., and October 9, 1986 report from James E. Stary, Ph.D. and based further upon the Committee's prior examination of Ezzat E. Majd, Pour, M.D. on September 18, 1986, it is the opinion and recommendation of the Committee, as follows:

1. That in view of the fact that Ezzat E. Majd, Pour, M.D. received extensive evaluation by Rodrigo M. Galvez, M.D. on October 6, 8 and 10, 1986, it is not necessary that a third follow-up visit be performed.
2. That Ezzat E. Majd, Pour, M.D. is suffering from a major thought disorder, paranoid state and is incompetent and not responsible. Because of this condition, Ezzat E. Majd, Pour, M.D. is in need of immediate medical treatment and his continued practice of medicine constitutes an imminent danger to public health and safety.

SO ORDERED, this the 16th day of October, 1986.


Arthur A. Derrick, Jr., M.D.,
Chairman


George C. Hamilton, Jr., M.D.


Bruce E. Atkinson, M.D.

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE OF

EZZAT E. MAJD, POUR, M.D.

TO: EZZAT E. MAJD, POUR, M.D.
1004 East Edward Avenue
Tunica, Mississippi 39676

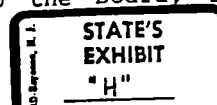
SUMMONS AND ORDER OF TEMPORARY SUSPENSION

YOU ARE HEREBY SUMMONED to appear before the Mississippi State Board of Medical Licensure in the auditorium of the Felix J. Underwood State Board of Health Building, 2423 North State Street, Jackson, Hinds County, Mississippi on Thursday, November 20, 1986 at 10:00 o'clock a.m. to answer the charges filed against you in the matter now pending before this Board.

The Mississippi State Board of Medical Licensure, charged by law with the licensing of medical doctors in this state, under Title 73, Chapter 25, Mississippi Code (1972) Annotated, charges that you, a physician duly licensed under the authority of the State Board of Medical Licensure and the laws of the State of Mississippi are unable to practice medicine with reasonable skill and safety to patients by reason of mental illness.

FURTHER, IT IS HEREBY ORDERED that pursuant to authority granted in Section 73-25-63, Mississippi Code (1972) Annotated, your license to practice medicine in the State of Mississippi is temporarily suspended pending the outcome of the scheduled hearing on November 20, 1986. Enclosed herewith and served as a part of this Summons is a copy of the Final Recommendation and Order of the Examining Committee rendered October 16, 1986, wherein it was determined that your continued practice of medicine would constitute an imminent danger to public health and safety.


Under Subsection (3) of Section 73-25-63, Mississippi Code (1972) Annotated, at the conclusion of the hearing, the Board shall make a determination of the merits and may issue an order requiring you to submit to the care, counseling or treatment by physicians acceptable to the Board, suspend or restrict your



license to practice medicine for the duration of impairment or
revoke your license to practice medicine.

The Mississippi State Board of Medical Licensure further
advises you that you have a right to be present at the hearing,
to be represented by counsel, to produce witnesses or evidence on
your behalf, to cross examine witnesses and to have subpoenas
issued by this Board.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 16th day
of October, 1986.



Frank D. Morgan, Jr., M.D.
Executive Officer,
Mississippi State Board of
Medical Licensure

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE OF
EZZAT E. MAJD, POUR, M.D.

SUPPLEMENTAL SUMMONS

TO: EZZAT E. MAJD, POUR, M.D.
1004 East Edward Avenue
Tunica, Mississippi 39676

WHEREAS, on October 16, 1986, Ezzat E. Majd, Pour, M.D. was summoned to appear before the Mississippi State Board of Medical Licensure on Thursday, November 20, 1986, at 10:00 o'clock A.M. to answer charges that he is unable to practice medicine with reasonable skill and safety to patients by reason of mental illness;

WHEREAS, pursuant to Motions for Continuance filed by or on behalf of Ezzat E. Majd, Pour, M.D., the hearing has been continued until March 19, 1987, at 10:00 o'clock A.M.;

WHEREAS, it is necessary to supplement the prior Summons and Affidavit in order to add additional charges and grounds upon which disciplinary action can be taken;

NOW, THEREFORE, YOU ARE HEREBY SUMMONED to appear before the Mississippi State Board of Medical Licensure in the Executive Conference Room of the Felix J. Underwood Building, 2423 North State Street, Jackson, Hinds County, Mississippi, Thursday, March 19, 1987, at 10:00 o'clock A.M., to answer the charges filed against you in the matter now pending before this Board.


The Mississippi State Board of Medical Licensure, charged by law with the licensing of medical doctors in this State, under Title 73, Chapter 25, Mississippi Code (1972), Annotated, charges that you, a physician duly licensed under the authority of the State Board of Medical Licensure and the laws of the State of Mississippi, are guilty of having been disciplined by a licensed hospital or medical staff of said hospital and are guilty of unprofessional conduct, which includes being guilty of any dishonorable or unethical conduct likely to deceive, defraud or harm the public.



Under Subsection (8) of Section 73-25-29 and Section 73-25-83(a) and (c), Mississippi Code (1972), Annotated, such acts constitute grounds for which the Mississippi State Board of Medical Licensure may place your license on probation, the terms of which may be set by the Board, suspend your right to practice for a time deemed proper by the Board, revoke your medical license or take any other action in relation to your license as the Board may deem proper under the circumstances.

The Mississippi State Board of Medical Licensure advises you that this Board will, upon your request or that of your legal counsel, subpoena persons, witnesses or papers on your behalf.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 12th day of February, 1987.


FRANK J. MORGAN, JR., M.D.
Executive Officer
Mississippi State Board of
Medical Licensure

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE
PHYSICIAN'S LICENSE OF
EZZAT E. MAJD, POUR, M.D.

DETERMINATION AND ORDER

This matter came on regularly for hearing on March 19, 1987, before the Mississippi State Board of Medical Licensure pursuant to Miss. Code Ann. §73-25-63. The Board initiated these proceedings on July 20, 1986, by referral of Ezzat E. Majd, Pour, M.D. to the designated members of the Examining Committee, pursuant to Miss. Code Ann. §73-25-51 through §75-25-67, for the purpose of determining the fitness of Dr. Majd to practice medicine with reasonable skill and safety to patients, either on a restricted or unrestricted basis. Dr. Majd was thereafter ordered to appear before the Examining Committee on September 18, 1986. Dr. Majd appeared before said committee and was found to be suffering from a major mental disorder and unable to practice medicine with reasonable skill and safety to patients. However, prior to rendering a final determination, the committee ordered Dr. Majd to submit to a psychiatric evaluation/examination pursuant to Miss. Code Ann. §73-25-57(2). On October 6, 8, and 10, 1986, Dr. Majd submitted to such an examination and on October 13, 1986, a report was rendered concluding that Dr. Majd was suffering from a major thought disorder. On October 16, 1986, the Examining Committee rendered its Final Recommendation and Order finding



that Dr. Majd was unable to practice medicine with reasonable skill and safety to patients by reason of mental illness.

On October 16, 1986, the Board issued a Summons and Order of Temporary Suspension informing Ezzat E. Majd, Pour, M.D. that the Board had reason to believe that he was unable to practice medicine with reasonable skill and safety to patients by reason of mental illness. Dr. Majd's medical license was temporarily suspended pending the outcome of the scheduled hearing on November 20, 1986.

Pursuant to written request of Ezzat E. Majd, Pour, M.D., the Mississippi State Board of Medical Licensure rendered an order continuing the matter until the next regularly scheduled meeting on January 15, 1987, and prohibiting Dr. Majd from practicing medicine during the interim. The matter was further continued until March 19, 1987, in response to a motion filed on December 30, 1986, on behalf of Dr. Majd. On February 12, 1987, the Board expanded these proceedings by issuing a Supplemental Summons and Affidavit informing Ezzat E. Majd, Pour, M.D. that it had reason to believe that he was in violation of Miss. Code Ann. §73-25-29(8) and §73-25-83(a), in that Ezzat E. Majd, Pour, M.D., a physician duly licensed under the authority of the State Board of Medical Licensure and the laws of the State of Mississippi, was guilty of unprofessional conduct, which includes being guilty of any dishonorable or unethical conduct likely to deceive, defraud or harm the public.

A hearing was convened at 10:00 o'clock A.M., March 19, 1987, Ezzat E. Majd, Pour, M.D., being present, represented by

Jim Waide. Evidence and testimony was then presented. Based on the above, the Board renders the following findings of fact, conclusions of law and order:

FINDINGS OF FACT

I.

EZZAT E, MAJD, POUR, M.D., hereinafter referred to as "Licensee", has been licensed to practice medicine in the State of Mississippi since September 9, 1981, pursuant to Miss. Code Ann. §73-25-1, holding Mississippi License No. 9448.

II.

Prior to seeking licensure in the State of Mississippi, Licensee served a two-year residency in surgery between August 1972 and August 1974 at the Appalachian Regional Hospital, Harlan, Kentucky. During his residency at the Appalachian Regional Hospital, Licensee was admitted to said hospital for treatment between December 24, 1973, and January 2, 1974, with chief complaints of weight loss, dizziness and syncopal episodes. During Licensee's treatment, he consulted a psychiatrist and was diagnosed as suffering from depression and a mild schizoid personality with a final diagnosis of hyperthyroidism, postural hypotension, anxiety depressive reaction and situational stress reaction.

III.

Licensee began practicing in Tunica, Mississippi, on or about June, 1985. On August 6, 1986, at approximately 6:35 o'clock P.M., patient Bobbie I was transported to the Tunica

County Hospital via ambulance. The patient was found to be dead upon arrival. Notwithstanding, the emergency room physician and nursing staff immediately initiated attempts to resuscitate the patient without regard as to the patient's identity or whom the patient's physician was. Resuscitation attempts were unsuccessful. Thereafter, Licensee accused the attending physician and nursing staff of "stealing" and "killing" patient Bobbie I. On the following day, August 7, 1986, Licensee went to the Tunica County Hospital, and accused the medical and nursing staff of "killing", "murdering", and "stealing" his patients. Licensee accused one particular nurse of being a "prostitute" and "turning into a vampire at night" and killing "hundreds" of his patients. Other accusations, too numerous to mention, included statements that the medical and nursing staff were killing his patients, that the medical and nursing staff and board of directors of the Tunica County Hospital were members of the "klan" and "racists" and that they were plotting to kill him or run him out of town. The above accusations were made at the Tunica County Hospital before numerous medical and staff personnel and were made in such a loud tone and manner as to indicate loss of control.

IV.

The accusations by Licensee toward the medical and nursing staff at Tunica County Hospital and other individuals during August 6, 1986, and August 7, 1986, were false and without any basis in fact. Although evidence reflects that deaths have occurred at the Tunica County Hospital, no complaints of mysterious deaths were filed with state or local authorities and the

number and causes of deaths occurring at the hospital were not unusual for a hospital of that size and type.

V.

On August 8, 1986, Licensee wrote and gave to other parties, including office staff, a note stating that on that date he was "threatened to be killed, if in future I murdered, my killer is Dr. Larry Black and Paris Prince only (otherwise nobody else is responsible)." Said note then provides that "These two people may kill me indirectly, but responsibility of murder should stay only with them, and nobody else." Although evidence presented indicates that Dr. Majd or his staff may have received phone calls of threatening nature, we find that there is no basis in fact for the accusation concerning Larry Black, M.D. and further, by Licensee's own admission, the accusation concerning Paris Prince was without merit.

VI.

That Licensee has on occasion carried a 38-caliber pistol on his person and in the presence of his staff, yielded the weapon in such a manner as to frighten his staff.

VII.

Licensee has exhibited other conduct and behavior indicative of an individual suffering from mental illness. Further, Licensee's own testimony revealed characteristics of one suffering from mental illness as substantiated by the expert testimony of Rodrigo M. Galvez., M.D. and George Hamilton, M.D.

VIII.

On or about July 7, 1986, Licensee admitted patient Doshie A. [REDACTED] to the Tunica County Hospital for the purpose of performing a breast biopsy. Licensee later scheduled and directed the nurses to prepare the patient for a simple mastectomy and excision of the lymph nodes to be performed under local anesthesia. Such a procedure should only be accomplished under general anesthesia and Licensee was prevented from carrying out the procedure by action of the medical staff.

IX.

On July 20, 1986, Frank J. Morgan, Jr., M.D., Executive Officer of the Mississippi State Board of Medical Licensure, referred Licensee to the designated members of the Examining Committee, pursuant to Miss. Code Ann. §73-25-51 through §75-25-67, for the purpose of determining the fitness of Licensee to practice medicine with reasonable skill and safety to patients, either on a restricted or unrestricted basis. Licensee was thereafter ordered to appear before the Examining Committee on September 18, 1986. Licensee appeared before said committee and was found to be suffering from a major mental disorder and unable to practice medicine with reasonable skill and safety to patients. However, prior to rendering a final determination, the committee ordered Licensee to submit to a psychiatric evaluation/examination performed by a psychiatrist and psychologist approved by the Board. Licensee chose Rodrigo M. Galvez, M.D. and James E. Stary, Ph.D., 1030 Riverside Plaza, Flowood, Mississippi, to perform the psychiatric evaluation/examination. On

October 6, 8, and 10, 1986, Licensee was examined by Rodrigo M. Galvez, M.D. and James E. Stary, Ph.D. and upon conclusion of said evaluation, a report was rendered to the Board dated October 13, 1986, concluding that Licensee was suffering from a major thought disorder, paranoid state, was incompetent and not responsible. Further, it was the opinion of Dr. Galvez that because of this condition, Licensee was in need of immediate medical treatment and his continued practice of medicine constitutes imminent danger to public health and safety. On October 16, 1986, the Examining Committee rendered its Final Recommendation and Order finding that Licensee was unable to practice medicine with reasonable skill and safety to patients by reason of mental illness.

X.

In addition to the above, Licensee has sought independent evaluations by G. H. Aivazian, M.D., Delores M. Digaetano, M.D., Jan T. Goff, M.D. and Ken Lippincott, M.D., in several instances, said physicians utilizing reports from independent psychologists. In each case, Licensee was found not to be suffering from a psychiatric disorder. However, several of the reports rendered by said physicians were qualified as to the accuracy of that information provided by Licensee and in each situation, the physician/psychologist based their evaluation on incomplete background history and/or improper data.

XI.

That Licensee was also examined by William M. Kallman, Ph.D who described Licensee's conduct as not indicative of "delusional"

behavior, but merely "angry exaggerations." However, Dr. Kallman did find that Licensee may have suffered on one occasion from an "acute paranoid disorder."

CONCLUSIONS OF LAW

After considering all the evidence presented, and based on the Board's personal observation of Licensee during his testimony, the Board hereby determines that Licensee's actions constitute unprofessional conduct, including dishonorable or unethical conduct likely to deceive, defraud or harm the public and that Licensee is unable to practice medicine with reasonable skill and safety to patients by reason of mental illness.

ORDER

IT IS HEREBY ORDERED that the Final Recommendation of the Examining Committee rendered October 16, 1986, is hereby accepted;

IT IS FURTHER ORDERED that on the basis of the findings of fact enumerated above, Mississippi Medical License No. 9448 issued to Ezzat E. Majd, M.D., is hereby suspended for a period of three (3) years; however, said suspension will be stayed upon completion of and compliance with all of the following conditions to the satisfaction of the Mississippi State Board of Medical Licensure:

1. A physical examination, including CT scan of the head, endocrine survey and urine and blood drug screens by a physician approved by the Board of Medical Licensure with the results of

the examination submitted to the Board within thirty (30) days of receipt of this order;

2. A comprehensive psychiatric and psychological work-up with follow-up treatment and care by a psychiatrist approved by the Board of Medical Licensure from either Mississippi or Memphis, Tennessee. The results of the work-up are to be submitted to the Board within sixty (60) days of receipt of this order.

3. Monthly progress reports from the Board approved psychiatrist are to be submitted to the Board within fifteen (15) days of the end of each month during treatment.

4. All expenses incurred in carrying out this Order shall be borne by Licensee.

IT IS FURTHER ORDERED that pursuant to Miss. Code Ann. §73-25-27, as amended, a copy of this Determination and Order shall be sent by registered mail or personally served upon Ezzat E. Majd, Pour, M.D., and should become effective immediately upon receipt thereof.

THIS, the 31ST day of March, 1987.

MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE

By: Frank S. Morgan, Jr.
FRANK S. Morgan, Jr., M.D.
Executive Officer